



**Oshawa City Council
Minutes**

**October 28, 2024, 9:30 a.m.
Council Chamber**

Present: Mayor Carter
Councillor Chapman
Councillor Giberson
Councillor Gray
Councillor Kerr
Councillor Lee
Councillor Marimpietri
Councillor Marks
Councillor McConkey
Councillor Neal
Councillor Nicholson

Public Meeting

The Mayor called the meeting to order and stated that all members of Council were participating from the Chamber except Councillor McConkey and Councillor Neal who participated electronically.

National Anthem

Land Acknowledgment

The City of Oshawa sits on treaty land that is steeped in rich Indigenous history and is the present day home to many First Nations, Métis and Inuit peoples. We acknowledge that we live and work on land covered under the Williams Treaties, and the traditional territories of the Mississaugas of Scugog Island First Nation.

We acknowledge this land out of respect for the many Indigenous nations who have cared for the lands and waters from the beginning of time and still do so today. We extend our gratitude and appreciation for the opportunity to live and work on this territory.

We are committed to understanding the truth of our shared history, confronting our past and present, and building a better future together in true reconciliation.

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 Kathy Cumming, Deborah Mitchell and Dan Hanewich be added to the agenda; and,

That additional correspondence from various residents submitting comments concerning Report ED 24 112 be added to Correspondence CNCL-24-114,

That Correspondence CNCL-24-120 from various residents submitting comments concerning Report ED-24-112 in support of maintaining the Windfields Farm/Northern Dancer Mural; and,

That Correspondence CNCL-24-121 from various residents submitting comments in support of the recommendation contained in Report ED 24-112 be added to the agenda for the Council meeting of October 28, 2024, and referred to the respective item.

Declarations of Pecuniary Interest

Councillor Chapman - ED-24-112 - Mural Art Evaluation Plan and Supplementary Information Report ED-24-112 Mural Art Evaluation Plan (CNCL-24-119) (Ward 4)

Councillor Chapman made a statement of non-disqualifying interest concerning Report ED-24-112 regarding the Mural Art Evaluation Plan as he consulted with the Integrity Commissioner who advised that notwithstanding his previous role as the Commanding Officer for the Regiment is able to take part in discussion and voting on the matter.

Councillor Marks - ED-24-112 - Mural Art Evaluation Plan and Supplementary Information Report ED-24-112 Mural Art Evaluation Plan (CNCL-24-119) (Ward 4)

Councillor Marks declared a conflict of interest concerning Report ED-24-112 regarding the Mural Art Evaluation Plan and Supplementary Information Report ED-24-112 Mural Art Evaluation as he determined there is reasonable apprehension of bias, as family name is on one of the murals and did not take part in discussion or voting on the matter.

Councillor Chapman - CO-24-52 - Ontario Regiment (RCAC) Requesting 10 Parking Spaces for Armoury Members in Parking Lot 20 and Options for Parking in the Adjacent City Garages (Ward 4)

Councillor Chapman declared an indirect conflict of pecuniary interest concerning Report CO-24-52 regarding the Ontario Regiment (RCAC) Requesting 10 Parking Spaces for Armoury Members in Parking Lot 20 and Options for as he is the Honourary Colonel of the Ontario Regiment and did not take part in discussion or voting on the matter.

Councillor Marimpietri - ED-24-116 - Stevenson Road North from Taunton Road West to Conlin Road West, Agreement Request (Ward 2)

Councillor Marimpietri made a declaration of interest concerning Report ED-24-116 regarding the Stevenson Road North from Taunton Road West to Conlin Road West, Agreement Request as he has family whom own property in the area and did not take part in discussion or voting on the matter.

Presentations

Rotary Club Walk of Fame - 2024 Inductees

Louise Parkes, Rotary Club Walk of Fame introduced the Oshawa Walk of Fame inductees for 2024.

Members of Council questioned Louise Parkes.

Delegations

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegations of Louise Parkes, Aidan Flaglor, Joshua Glover, Kathy Cumming, Deborah Mitchell, Dan Hanewich be heard **(Requires 2/3 vote of members present.)**

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegation of Denise Carpenter, Robert Watson and Daniel Arbour, Oshawa Power, be heard in Closed Session

Motion Carried

Louise Parkes - Report ED-24-112

Louise Parkes addressed City Council concerning Report ED-24-112 regarding the Mural Art Evaluation Plan.

Moved by Councillor Gray
Seconded by Councillor Nicholson

That the delegation be extended by two minutes.

Motion Carried

Councillor Chapman assumed the Chair.

Aidan Flaglor - Report ED-24-112

Aidan Flaglor was not present to address City Council.

Joshua Glover - Report ED-24-112

Joshua Glover addressed City Council concerning Report ED-24-112 regarding the Mural Art Evaluation Plan.

Members of Council questioned Joshua Glover.

Kathy Cumming - Report ED-24-112

Mayor Carter resumed the Chair.

Kathy Cumming addressed City Council concerning Report ED-24-112 regarding the Mural Art Evaluation Plan.

Members of Council questioned Kathy Cumming.

Deborah Mitchell - Report ED-24-112

Deborah Mitchell was not present to address City Council.

Dan Hanewich - Report ED-24-112

Dan Hanewich addressed City Council concerning Report ED-24-112 regarding the Mural Art Evaluation Plan

Members of Council questioned Dan Hanewich.

Moved by Councillor Kerr
Seconded by Councillor Giberson

That the meeting recess for 15 minutes.

Motion Carried

The meeting recessed at 11:34 a.m. and reconvened at 11:50 a.m. with all members of Council in attendance except Councillor McConkey and Council Neal who participated electronically.

Items requiring Council Direction

None

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 October 28, 2024 be adopted as recommended except for the following:

Item CO-24-52 from the Nineteenth Report of the Community and Operations Services Committee; and

Item CF-24-63 from the Twenty-first Report of the Corporate and Finance Services Committee; and

Item ED-24-109, ED-24-112, ED-24-116 from the Thirty-sixth Report of the Economic and Development Services Committee; and

Reports CNCL-24-113 and CNCL-24-116.

Motion Carried

Adoption of Council Minutes

That the minutes of the City Council meeting held on September 23, 2024 be adopted.

Correspondence with recommendations

CNCL-24-114 - Various residents submitting comments concerning Report ED-24-112 being the Art Mural Evaluation Plan

That correspondence CNCL-24-114 from various residents submitting comments concerning Report ED-24-112 regarding the Art Mural Evaluation Plan be referred to the respective item.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-24-51 - Sport Field and Outdoor Court Allocation Policy Update (All Wards)

That based on Report CO-24-51 dated October 16, 2024, Council approve the revised Sport Field and Outdoor Court Allocation Policy as attached to this Report and in a final form and content acceptable to the Commissioner, Community and Operations Services Department and the Director, Legislative Services/City Clerk.

CO-24-53 - Licence Agreement for the Ray Street Parking Lot for 2410173 Ontario Inc. (Ward 4)

Whereas at its meeting of October 2, 2023 through Item CO-23-49, City Council authorized staff to enter into a licence agreement with 2410173 Ontario Inc. for the nine most southerly parking spaces along Ray Street in the Ray Street Parking Lot; and,

Whereas the original term of the licence agreement was for a period of one (1) year, from November 2, 2023 to November 1, 2024, with an option to extend for up to three additional one (1) year terms, subject to three (3) months' written notice; and,

Whereas written notice to extend the agreement was not received from 2410173 Ontario Inc. until September 26, 2024, effectively ending the original agreement; and,

Whereas staff have confirmed it is reasonable to continue to provide the nine (9) parking spaces in the Ray Street Parking Lot to 2410173 Ontario Inc. based on availability;

Therefore be it resolved that pursuant to Item CO-24-53 dated October 16, 2024 concerning the licence agreement for nine (9) parking spaces in the Ray Street Parking Lot to 2410173 Ontario Inc.:

1. That the City enter into a licence agreement with 2410173 Ontario Inc. for nine (9) parking spaces in the Ray Street Parking Lot; and,
2. That the Commissioner, Community and Operations Services Department be authorized to sign the licence agreement and in a final form and content satisfactory to the Commissioner, Community and Operations Services Department, the Commissioner, Corporate and Finance Services Department and the City Solicitor; and,

3. That 2410173 Ontario Inc. pay each month the current lot rate applicable for the spaces in accordance with the City's Fees and Charges By-law 109-2024; and,
4. That the nine (9) most southerly spaces along Ray Street be allocated to 2410173 Ontario Inc. subject to the City's discretion; and,
5. That the term of the licence agreement be for a period of one (1) year commencing on November 2, 2024 with an option to extend for up to two (2) additional one-year terms in accordance with the original agreement, subject to three (3) months' written notice.

Report of the Corporate and Finance Services Committee

CF-24-62 - 2025 Interim Tax Levying By-law (All Wards)

That the 2025 Interim Tax Levying By-law as outlined in Attachment 1 to Report CF-24-62 dated October 2, 2024 concerning the 2025 Interim Tax Levying By-law be approved.

Report of the Economic and Development Services Committee

ED-24-108 - Proposed Business and Economic Development Services Visual Brand Identity (All Wards)

That based on the proposed Business and Economic Development Services Visual Brand Identity included in Attachment 1 of Report ED-24-108 dated October 2, 2024; Direction 1 be selected as the Brand Direction for Oshawa Economic Development and be applied to designs for banners, print and digital publications and other documents and materials generally in accordance with the associated brand guidelines prepared by Aubs and Mugg Inc.

ED-24-113 - Update Regarding Imagine Oshawa: Municipal Comprehensive Review of the Oshawa Official Plan (All Wards)

1. That, based on Report ED-24-113 dated October 2, 2024, in the event funding in the amount of \$450,000 is approved in the 2025-2026 Mayor's budget for the Official Plan Review:
 - a. That Economic and Development Services staff be authorized to prepare appropriate Terms of Reference, in a form and content satisfactory to the Commissioner, Economic and Development Services Department, to complete a Growth Management Study as part of the Official Plan Review, including a Land Needs Assessment; and,
 - b. That staff be authorized to advance a Request for Proposal process in consultation with Corporate and Finance Services staff that is open to the general public and targeted to planning related consultants to retain a consultant to undertake the Growth Management Study component of the Official Plan Review; and,
2. That staff be authorized to forward a copy of Report ED-24-113 dated October 2, 2024 and the related Council resolution to the Region of Durham.

ED-24-115 - Application Under the Harbour Road Area Community Improvement Plan, 80 Harbour Road, Oshawa Harbour Limited Partnership (Ward 5)

1. That, based on Report ED-24-115 dated October 2, 2024, Oshawa Harbour Limited Partnership be provided the following in respect to its proposed development of a 16-storey, 336-unit mixed-use residential/commercial podium building at 80 Harbour Road under the City's Harbour Road Area Community Improvement Plan:
 - a. An Increased Assessment Grant totaling \$5,594,460 over a 9-year period. The grant total is achieved based on the final assessment of the Municipal Property Assessment Corporation; and,
2. That Oshawa Harbour Limited Partnership enter into an agreement with the City setting out performance criteria related to the approval of the Increased Assessment Grant under the City's Harbour Road Area Community Improvement Plan generally including, but not limited to:
 - a. A building permit for the foundation must be issued by July 1, 2025 and that construction activity lawfully commence within six (6) months of permit issuance;
 - b. The building must have the foundation completed by January 31, 2027 to the satisfaction of the Chief Building Official;
 - c. The project must be completed and available for first occupancy by July 1, 2031 to the satisfaction of the Chief Building Official;
 - d. 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;
 - e. The property, including any building, must be maintained in accordance with the City's Property Standards and Lot Maintenance By-laws and the Ontario Building Code during the period of the Grant;
 - f. Oshawa Harbour Limited Partnership shall continuously comply with any City agreement and City By-laws;
 - g. That any Increased Assessment Grant will only be provided to Oshawa Harbour Limited Partnership after all applicable City taxes have been paid by the property owner;
 - h. The building architecture is to be designed to the satisfaction of the Director of Planning Services;
 - i. 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,
 - j. Any other appropriate criteria considered advisable by the City Solicitor and Commissioner, Economic and Development Services Department; and,

3. 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.

Report of the Safety and Facilities Services Committee

SF-24-42 - Tanker Shuttle Certification - Fire Protection Survey Services (All Wards)

That Report SF-24-42 dated October 16, 2024 concerning the Tanker Shuttle Certification provided by Fire Protection Survey Services be received for information.

SF-24-43 - Technical Amendments to Administrative Penalty Process By-law 63-2013 and Parking Administrative Penalty System By-law 24-2011 (All Wards)

Whereas the Administrative Penalty Process By-law 63-2013, as amended (“Administrative Penalty Process By-law”) is a by-law to establish a consistent process for non-parking administrative penalties within the City of Oshawa (“City”); and,

Whereas the Parking Administrative Penalty System By-law 24-2011, as amended (“Parking Administrative Penalty System By-law”) is a by-law to establish a system for administrative penalties respecting the stopping, standing or parking of vehicles; and,

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

Whereas a review has identified an opportunity to implement minor technical amendments to the Administrative Penalty Process By-law and Parking Administrative Penalty System By-law to improve clarity in provisions related to the ability of the Director, Municipal Law Enforcement and Licensing Services to appeal a Screening Officer’s decision to the Hearing Officer;

Therefore, be it resolved that City Council approve a by-law in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to amend Administrative Penalty Process By-law 63-2013, as amended and Parking Administrative Penalty System By-law 24-2011, as amended regarding the Director’s ability to appeal a Screening Officer’s decision to the Hearing Officer.

SF-24-44 - Business Licensing By-law and Additional Licensing Classes (All Wards)

That Item SF-24-44 concerning the Business Licensing By-law and Additional Licensing Classes be referred back to staff for further review and a report.

SF-24-45 - Request to Name Bridge on Joseph Kolodzie Bike Path (Ward 5)

1. That based on Report SF-24-45, dated October 16, 2024 concerning a request to name the bridge on the Joseph Kolodzie Bike Path, the request be denied as the bridge in question is part of the Joe Kolodzie Trail, which is already named; and,
2. That staff be directed to provide the resident with information pertaining to the City's Commemorative Tree and Bench Program as an alternative option for recognition.

SF-24-46 - Illegal Dumping at Stone Crest Parkette (Ward 5)

That staff review strategies to mitigate the on-going illegal garbage dumping at Stone Crest Parkette.

Other Staff Reports and Motions

By-Laws

120-2024 - A By-law to Implement and Collect an Interim Tax Levy for 2025

121-2024 - A By-law to further amend By-law 63-2013 (the “Administrative Penalty Process By-law”) and By-law 24-2011 (the “Parking Administrative Penalty System By-law”)

122-2024 - A By-law to license, regulate and govern certain businesses in the City of Oshawa

Public Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor Nicholson

Seconded by Councillor Kerr

That the order of the agenda be altered to bring forward Report ED-24-112 at this time. **(Requires 2/3 vote of members present.)**

Motion Carried

ED-24-112 - Mural Art Evaluation Plan and Supplementary Information Report ED-24-112 Mural Art Evaluation Plan (CNCL-24-119) (Ward 4)

Councillor Marks declared a conflict on this item. (Councillor Marks declared a conflict of interest concerning Report ED-24-112 regarding the Mural Art Evaluation Plan and Supplementary Information Report ED-24-112 Mural Art Evaluation as he determined there is reasonable apprehension of bias, as family name is on one of the murals and did not take part in discussion or voting on the matter.)

Consent Motion:

That pursuant to Report ED-24-112 dated October 2, 2024 concerning the Mural Art Evaluation Plan:

1. That the Mural Art Evaluation Plan by STEPS Mural Art be endorsed; and,
2. That City staff be directed to proceed with the steps as generally outlined in Section 4.4 of Report ED-24-112 to deaccession fourteen (14) of the existing downtown murals as outlined in Sections 4.4.2 and preserve one (1) mural, “Ontario Regiment – 130 Years of Service” as outlined in Sections 4.4.1; and,
3. That 47 Bond Street West (where the mural “Victorian Order of Nurses – 100th Anniversary” is located) and 100 Simcoe Street South (where the mural “Camp X” is located) be approved as sites for new murals, with authorization to the Director, Business and Economic Development Services Department, to execute artist agreements.

A request was made to vote on Parts 1, 3 and a portion of Part 2 separately.

Amendment:

Moved by Councillor Lee

Seconded by Councillor Giberson

That Part 1 of the motion be amended to add the following after the word "endorsed": "with the exception of the recommendations related to the existing murals as outlined on pages 51 to 62 of the Mural Art Evaluation Plan document prepared by STEPS Mural Art".

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

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

Conflict (1): Councillor Marks

Motion Carried (7 to 3)

The vote on Part 1 of the recommendation contained in Item ED-24-112 as amended.

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

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

Conflict (1): Councillor Marks

Motion Carried (6 to 4)

The vote on Part 3 of the recommendation contained in Item ED-24-112.

Affirmative (1): Councillor Giberson

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

Conflict (1): Councillor Marks

Motion Lost (1 to 9)

The vote on the following portion of Part 2 of the recommendation contained in Item ED-24-112: "proceed with the steps as generally outlined in Section 4.4 of Report ED-24-112 to deaccession fourteen (14) of the existing downtown murals as outlined in Section 4.4.2" and the words "one (1) mural".

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

Conflict (1): Councillor Marks

Motion Lost (0 to 10)

Amendment:

Moved by Councillor Nicholson

Seconded by Councillor Gray

That Part 2 be amended to add the following after the words "Section 4.4.1": "and that staff report back with a plan to maintain the existing murals".

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

Conflict (1): Councillor Marks

Motion Carried (10 to 0)

The vote on Part 2 of the recommendation contained in Item ED-24-112, as amended.

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

Conflict (1): Councillor Marks

Motion Carried (10 to 0)

Moved by Councillor Kerr

Seconded by Councillor Marimpietri

That the following be added as Part 3: "That a QR code be added to each current and future mural such that a City website would contain the historical context and information about each mural for educational purposes to enable any viewer to understand the history of Oshawa better."

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

Conflict (1): Councillor Marks

Motion Carried (10 to 0)

The vote to adopted the recommendation contained in Item ED-24-112, as amended.

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

Conflict (1): Councillor Marks

Motion Carried (10 to 0)

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the meeting recess.

Motion Carried

The meeting recessed at 1:25 p.m. and reconvened at 2:32 p.m. with all members of Council in attendance except Councillor McConkey who participated electronically and Councillor Neal who was absent.

CO-24-52 - Ontario Regiment (RCAC) Requesting 10 Parking Spaces for Armoury Members in Parking Lot 20 and Options for Parking in the Adjacent City Garages (Ward 4)

Councillor Chapman declared a conflict on this item. (Councillor Chapman declared an indirect conflict of pecuniary interest concerning Report CO-24-52 regarding the Ontario Regiment (RCAC) Requesting 10 Parking Spaces for Armoury Members in Parking Lot 20 and Options for as he is the Honourary Colonel of the Ontario Regiment and did not take part in discussion or voting on the matter.)

Consent Motion

Whereas Council referred a request from the Ontario Regiment RCAC Museum ("Ontario Regiment") for ten (10) parking spaces for armoury members in Parking Lot 20 and options for parking in the adjacent City garages to staff; and,

Whereas Council approved the redevelopment of Parking Lot 20 into an Urban Square as part of the 2023 Capital Budget; and,

Whereas it is anticipated that the record of site condition altering the property designation to an Urban Square will be received by the fourth quarter 2024; and,

Whereas Parking Lot 20 cannot be used as a business once the record of site condition is completed; and,

Whereas Parking Lot 20 is situated at the Northeast corner of Bond Street and Simcoe Street; and,

Whereas the Mary Street Parkade is situated on the Northeast corner of King Street and Mary Street which could be considered as a suitable alternative to Lot 20; and,

Whereas the Mary Street Parkade has a total of 654 parking spaces with 550 parking spaces allocated for monthly parking permits; and,

Whereas the Mary Street Parkade currently utilizes 58% or 320 spaces of the 550 spaces allocated for monthly parking permits; and,

Whereas the monthly parking rate for the Mary Street Parkade is \$87.00 plus H.S.T. per parking space per the Fees and Charges By-law;

Therefore, be it resolved that in accordance with item CO-24-52 dated October 16, 2024;

1. The City of Oshawa enter into a licence agreement with the Ontario Regiment (RCAC Museum) for a minimum of ten (10) parking spaces in the Mary Street Parkade; and,
2. That any additional parking spaces, to a maximum of fifteen (15) parking spaces be considered on a case-by-case basis in accordance with the Fees and Charges By-law; and,
3. That the Commissioner, Community and Operations Services Department be authorized to sign the licence agreement and in a final form and content satisfactory to the Commissioner, Community and Operations Services Department, the Commissioner, Corporate and Finance Services Department and the City Solicitor; and,
4. That the term of the licence agreement be for a period of one (1) year, with an option to extend for up to three (3) additional one (1) year terms; and,
5. That the Ontario Regiment (RCAC Museum) pay each month the current lot rate applicable for the parking spaces in the Mary Street Parkade as noted in the Fees and Charges By-law.

The vote to adopt the recommendation contained in Item CO-24-52.

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

Conflict (1): Councillor Chapman

Absent (1): Councillor Neal

Motion Carried (9 to 0)

CF-24-63 - Civic Stadium Track Replacement Project (Ward 4)

Consent Motion:

Whereas the Province of Ontario has a funding opportunity through the Community Sport and Recreation Infrastructure Fund which will invest \$200 million to revitalize existing recreation buildings as well as build new facilities; and,

Whereas the Community Sport and Recreation Infrastructure Fund has two streams of funding; and,

Whereas Stream 1 is focused on repairing and upgrading existing sports and recreation infrastructure to better meet the community's needs; and,

Whereas the Civic Stadium Track is reaching the end of its expected lifecycle. The track coating has started to delaminate in one of the lanes, creating a health and safety hazard. In order to maintain a full 8 lanes, resurfacing of the track will be required; and,

Whereas the estimated cost for the Track Replacement is \$2 million; and,

Whereas the Community Sport and Recreation Infrastructure Fund – Stream 1 will fund projects up to 50% of eligible costs ranging from \$150,000 to \$1 million; and,

Whereas the Community Sport and Recreation Infrastructure Fund – Stream 1 requires municipalities to seek endorsement from Council;

Therefore be it resolved that based on CF-24-63, dated October 7, 2024, the Civic Stadium Track Replacement project be endorsed for the grant submission to the Community Sport and Recreation Infrastructure Fund – Stream 1 program.

The vote to adopt the recommendation contained in Item CF-24-63.

Motion Carried

ED-24-109 - Request under the Urban Growth Centre Community Improvement Plan, 27-33 Simcoe Street South (Ward 4)

Consent Motion:

That pursuant to Report ED-24-109 dated October 2, 2024, Mr. Ara Saadjan be approved for an Upgrade to Building and Fire Codes Grant in the amount of \$26,788.09.

The vote on the recommendation contained in Item ED-24-109.

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

Negative (2): Councillor Giberson, and Councillor Nicholson

Absent (1): Councillor Neal

Motion Carried (8 to 2)

ED-24-116 - Stevenson Road North from Taunton Road West to Conlin Road West, Agreement Request (Ward 2)

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri made a declaration of interest concerning Report ED-24-116 regarding the Stevenson Road North from Taunton Road West to Conlin Road West, Agreement Request as he has family whom own property in the area and did not take part in discussion or voting on the matter.)

Consent Motion:

That, pursuant to Report ED-24-116 dated October 2, 2024, concerning the design and construction of Stevenson Road North from Taunton Road West to Conlin Road West:

1. That staff be authorized to advance the detailed design of Stevenson Road North, as outlined in Section 4.4 of Report ED-24-116; and,
2. That staff include the cost to advance the detailed design of Stevenson Road North in the Mayor's 2025 Budget for consideration; and,
3. That staff include the estimated cost for the reconstruction of Stevenson Road North in the Mayor's 2026 Budget for consideration; and,

4. That the Region of Durham be requested to advance the required funds within their 2025 and future Budgets for the purpose of providing serving works on Stevenson Road North in coordination with the City; and,
5. That the Manger, Procurement be authorized to negotiate a contract extension to Gannett Fleming Canada ULC not to exceed the approved 2025 budget for design services.

The vote on the recommendation contained in Item ED-24-116.

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

Negative (1): Councillor McConkey

Conflict (1): Councillor Marimpietri

Absent (1): Councillor Neal

Motion Carried (8 to 1)

CNCL-24-113 - Regular Standing Committee Meeting Schedule in January 2025 and 2026 (All Wards)

Consent Motion:

Whereas at its meeting of November 22, 2022, Council adopted the regular meeting schedule for the years 2023, 2024, 2025 and 2026; and,

Whereas in January of 2025, the meeting cycle is scheduled to begin on January 6, 2025 with the Corporate and Finance Services Committee and Economic and Development Services Committee meetings; and,

Whereas in January of 2026, the meeting cycle is scheduled to being on January 5, 2026 with the Corporate and Finance Services Committee and Economic and Development Services Committee meetings; and,

Whereas meetings taking place so soon following the Statutory and Corporate Holidays in December and January 1 leave no time for staff reports to be finalized or agendas to be published for Council and the public on the Wednesdays prior to the regular meetings; and,

Whereas there is a free week in the schedule the week prior to the Council meetings in January 2025 and 2026; and,

Whereas the free week allows the schedule to be adjusted in both years to compress the January meeting cycle by moving the Standing Committee meetings to start one week later;

Therefore, based on Item CNCL-24-113 dated October 23, 2024 concerning the Council Meeting Schedule for January 2025 and January 2026:

1. That Council reconsider its decision regarding the schedule for the Standing Committee meetings in January 2025 and January 2026; and,

2. That the regular meetings of the Corporate and Finance Services Committee and Economic and Development Services Committee be held on January 13, 2025 instead of January 6, 2025; and,
3. That the regular meetings of the Community and Operations Services Committee and Safety and Facilities Committee be held on January 20, 2025 instead of January 13, 2025; and,
4. That the regular meetings of the Corporate and Finance Services Committee and Economic and Development Services Committee be held on January 12, 2026 instead of January 5, 2026; and,
5. That the regular meetings of the Community and Operations Services Committee and Safety and Facilities Committee be held on January 19, 2026 instead of January 12, 2026.

A request was made to vote on Part 1 separately from Parts 2, 3, 4 and 5.

The vote to adopt Part 1 as contained in the recommendation in Item CNCL-24-113 (**Requires 2/3 Vote**)

Motion Carried

The vote to adopt Parts 2, 3, 4 and 5 as contained in the recommendation in Item CNCL-24-113.

Motion Carried

CNCL-24-116 - 2025-2029 Financial Strategy (All Wards)

Consent Motion:

That the Financial Strategy 2025-2029 outlined in Attachment 1 to Report CNCL-24-116 dated October 23, 2024, be endorsed.

The vote to adopt the recommendation contained in Item CNCL-24-116.

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

Motion Carried (10 to 0)

Items Pulled from the Information Package

CNCL-24-112 - Resolution from the City of Qunite West concerning the AMCTO Provincial Updates to the Municipal Elections Act (previously INFO-24-194) (All Wards)

Moved by Councillor McConkey
 Seconded by Councillor Giberson

That based on Correspondence CNCL-24-112 being a resolution from Quinte West, Council endorse the AMCTO recommended updates to the Municipal Elections Act.

Motion Carried

Closed Consent Agenda

Moved by Councillor Chapman
Seconded by Councillor Giberson

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated October 28, 2024 be adopted as recommended except Report CNCL-24-117.

Motion Carried

Correspondence with recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

None

Report of the Corporate and Finance Committee Services

None

Report of the Economic and Development Services Committee

ED-24-107 - Request to Purchase City-owned Parkland on the east side of Kingside Park, west of Emerson Court (Ward 5)

That pursuant to Closed Report ED-24-107 dated October 2, 2024, City staff be authorized to proceed in accordance with Section 2.0 of said Report.

ED-24-111 - Request by the Durham District School Board to Amend an existing Licence Agreement with the City of Oshawa for the use of a Portion of the Paved Parking Lot at the Delpark Homes Centre (Ward 1)

That pursuant to Closed Report ED-24-111 dated October 2, 2024, Economic and Development Services staff be directed to advance the recommendation as set out in Section 2.0 of said Report in response to the Durham District School Board's request for an amendment to its existing licence agreement with the City for non-exclusive use of a portion of the paved parking lot at the Delpark Homes Centre.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

See Matters Excluded from the Consent Agenda

Closed Discussion Agenda

Matters Excluded from Consent Agenda

CNCL-24-117 - Update Regarding the Expropriation of Lands Known Municipally as 31 Simcoe Street North (Ward 4)

Consent Motion:

That based on Report CNCL-24-117 dated October 22, 2024, City staff be authorized to proceed in accordance with section 2.0 of said Report.

Items Requiring Council Direction

CNCL-24-115 - Oshawa Power and Utilities Corporation and its subsidiary, Oshawa P.U.C. Networks Inc. - Amended and Reinstated Shareholder Declaration (Ward 1)

Moved by Councillor Chapman
Seconded by Councillor Lee

That based on Report CNCL-24-115 dated October 23, 2024, concerning an amended and reinstated Shareholder Declaration for Oshawa Power and Utilities Corporation (HoldCo) and its subsidiary, Oshawa P.U.C. Networks Inc. WiresCo), Council select Option 2 as outlined in Section 4.3. of said Report.

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the meeting recess and reconvene in a session closed to the public pursuant to Section 239(2)(c), (e), (f) and (k) of the Municipal Act in order to consider Item CNCL-24-115 and CNCL-24-117 which concerns a proposed or pending acquisition or disposition of land; litigation or potential litigation, including matters before administrative tribunals, affecting the City; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criterion or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

Motion Carried

The meeting recessed at 3:11 p.m. and reconvened at 3:16 p.m. in a session closed to the public with all members of Council present in the Chamber except for Councillor McConkey who participated electronically and Councillor Neal who was absent.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk, the Chief Administrative Officer; the Commissioner Corporate and Finance Services Department; the Commissioner, Safety and Facilities Services Department; the Commissioner, Community and Operations Services; the Commissioner, Economic and Development Services Department; the City Solicitor; the Director, Planning and Development; A. Snow, Lawyer; and K. Christopher, Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session at 3:11 p.m.

Closed meeting discussions took place concerning Report CNCL-24-117.

Robert Watson, Vice Chair of Board; Terry Caputo, Chair, Finance and Audit Committee, and John Mauti, Board Member, Oshawa Power and Utilities Corporation (OPUC) Networks entered the meeting.

Robert Watson addressed City Council concerning Closed Report CNCL-24-115

Members of Council questioned the Robert Watson.

Robert Watson, Terry Caputo and John Mauti, Oshawa Power and Utilities Corporation (OPUC) Networks left the meeting.

Closed session discussions took place concerning Report CNCL-24-115.

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Council rise from close session and report.

Motion Carried

Council rose from closed session at 3:49 p.m.

Closed Meeting Report

The following is a summary of the closed portion of the meeting.

All members of Council were present in the Chamber except for Councillor McConkey who participated electronically and Councillor Neal who was absent

Members of Council questioned A. Snow, Lawyer, concerning Report CNCL-24-117.

A. Snow, Lawyer responded to questions from Council.

A. Snow left the meeting.

Members of Council questioned the Chief Administrative Officer concerning Report CNCL-24-115.

The Chief Administrative Officer responded to questions from Council.

This concludes the closed meeting summary.

Councillor Neal re-entered the meeting electronically.

The vote to adopt the recommendation as contained in Closed Report CNCL-24-117.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

Moved by Councillor Giberson
Seconded by Councillor Kerr

That Closed Report CNCL-24-115 be referred back to Legal Services.

Affirmative (4): Councillor Giberson, Councillor Lee, Councillor Marks, and Councillor Neal

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

Motion Lost (4 to 7)

The vote to adopt Option 2 as contained in Closed Report CNCL-24-115.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

Matters Tabled

None

Notices of Motion Previously Given

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.

Councillor McConkey and Councillor Kerr withdrew the Notice of Motion

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

Councillor McConkey and Councillor Lee withdrew the Notice of Motion

Notices of Motion

CNCL-24-118 - Incorporating a Cricket Field within Ritson Fields (Ward 2)

Moved by Councillor Marimpietri
Seconded by Councillor Chapman

That staff investigate the feasibility of incorporating a full -size cricket field within the Ritson Fields, specifically the area of the existing side-by-side soccer fields located on the North East corner of the site; and,

That in addition to the feasibility of adding a full-size cricket field at Ritson Fields, staff investigate potential program options that continue to meet the needs of existing user groups and potentially accommodate local cricket organizations; and,

That should the staff report confirm the incorporation of a full-size cricket field at the existing Ritson Fields is feasible and Council approves the recommendation, investigation of a fully lit facility be considered as part of a future Capital Budget.

Affirmative (11): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (11 to 0)

Confirming By-Law

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the confirming by-law be passed.

Motion Carried

Adjournment

Moved by Councillor Kerr
Seconded by Councillor Gray

That the meeting adjourn at 3:58 p.m.

Motion Carried

Mayor

City Clerk