



**Oshawa City Council
Minutes**

**November 25, 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

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

National Anthem

Recognition of Indigenous Lands

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

We acknowledge this land out of respect for the many Indigenous nations who have cared for the lands and waters from the beginning of time and still do so today.

We extend our gratitude and appreciation for the opportunity to live and work on this territory.

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

We are all Treaty people.

Council Member Announcements

A moment of silence was held for all community leaders, staff and family members that have passed away over the previous year.

Various announcements were made relating to activities and events.

Additional Agenda Items

None

Declarations of Pecuniary Interest

Councillor Neal - CO-24-56 - Future Use of the Bocce Courts at Radio Park (Ward 4)

Councillor Neal made a declaration of interest concerning Report CO-24-56 regarding the Future Use of the Bocce Courts at Radio Park as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+) and did not take part in discussion or voting on the matter.

Councillor Marimpietri - ED-24-127 - Potential Disposition of Certain City-owned land located on the south side of Athol Street East, between Celina and Albert Street (Ward 4)

Councillor Marimpietri made a declaration of interest concerning Report ED-24-127 regarding the potential disposition of certain City-owned land located on the south side of Athol Street East, between Celina and Albert Street as he has family who own property in the area and did not take part in discussion or voting on the matter.

Presentations

None

Delegations

None

Items requiring Council Direction

None

Public Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Lee

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated November 25, 2024, be adopted as recommended except for the following:

Correspondence CNCL-24-125; and

Item CO-24-56 from the Twentieth Report of the Community and Operations Services Committee; and

Items CF-24-64 and CF-24-66 from the Twenty-second Report of the Corporate and Finance Services Committee; and

Item SF-24-48 from the Twentieth Report of the Safety and Facilities Services Committee.

Adoption of Council Minutes

That the minutes of the City Council meetings held on October 28, October 29, November 1 and November 8, 2024 be adopted.

Correspondence with recommendations

See Matters Excluded from Consent Agenda

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-24-54 - Matt Bowles, Lovell Holdings Limited, submitting correspondence concerning a request for a parking agreement (Ward 4)

Whereas at its meeting of September 23, 2024, through Item CO-24-49, City Council referred correspondence from Matt Bowles, Lovell Holdings Limited, to staff for a report, concerning a request to extend the current parking agreement for up to fifteen (15) parking spaces in the Mary Street Parkade and an additional two (2) parking spaces in Lot 16; and,

Whereas Lovell Holdings Limited advised that the two (2) additional parking spaces will be required for tenants of their residential units in the 14/16 Simcoe Street South building; and,

Whereas Lot 16 is located at the Southeast corner of Athol Street and Celina Street; and,

Whereas Lot 16 has a waitlist of seventy-seven (77) parking space requests for monthly parking permits; 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 16; 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 only 60% or 329 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 109-2024;

Therefore, be it resolved that in accordance with Item CO-24-54 dated November 13, 2024;

1. That the City of Oshawa enter into a licence agreement with Lovell Holdings Limited for a maximum of seventeen (17) parking spaces in the Mary Street Parkade; and,
2. That the term of the licence agreement be for a period of five (5) years commencing December 1, 2024, and ending November 30, 2029; and,

3. That Lovell Holdings Limited 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 109-2024; and,
4. That the Commissioner, Community and Operations Services Department be authorized to execute 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.

CO-24-55 - Reduction of Speed on Burk Street (Ward 4)

Whereas residents on Burk Street between King Street West and John Street have expressed concerns regarding driver speeds and traffic infiltration since at least 2021, and implementation of periodic Radar Message Board (RMB) placement has only resulted in temporary changes in driver speed behaviours and limited if any temporary effect on volume and infiltration concerns expressed by residents on Burk Street; and,

Whereas Report CO-24-55 presents traffic data on Burk Street and volume counts find that the number of southbound trips, originating from King Street, are significantly higher than the number of northbound trips; and,

Whereas Report CO-24-55 presents traffic data on Burk Street and, while not reporting a warrant for intervention on Burk Street, provides a table analyzing feasibility and suitability along Burk Street of the various traffic-calming measures found in the Neighbourhood Traffic Management Guide, some of which are identified as potential options; and,

Therefore, be it resolved that in accordance with the information in Report CO-24-55:

1. That staff be directed to investigate intersection conditions at King Street West and Burk Street as they relate to traffic conditions southbound on Burk Street, and staff report back on any traffic safety improvement options, cost and timing; and,
2. Notwithstanding staff recommendations, that staff be directed to engage with residents on Burk Street between John Street and King Street West for input on possible interventions on the basis of some of the identified potential options in Table 3 in Section 4.6 of the Report and findings from Part 1 of this motion, and that this input be used to report back to the Community and Operations Committee with a potential preferred intervention or interventions.

CO-24-57 - Snow and Ice Clearing from Trails (All Wards)

That Report CO-24-57 dated November 13, 2024 concerning snow and ice clearing from trails be received for information

CO-24-58 - Second Marsh Agreement Compliance - Obligations to Financial Contribution (Ward 5)

Whereas the City of Oshawa has had a long-standing partnership with the Friends of Second Marsh ("F.S.M.") who offer education, interpretation and stewardship programs related to Oshawa Second Marsh and McLaughlin Bay Wildlife Reserve; and,

Whereas on January 19, 2023, City Council directed the Commissioner of Community and Operations Services to enter into and execute a service agreement to reflect Council's approval of \$42,200 as interim funding to F.S.M. out of the 2023 Operating Budget, as well as in-kind services such as office space ("2023 Service Agreement"); and,

Whereas on December 11, 2023, pursuant to CNCL-23-130, City Council directed that the 2023 Service Agreement between the City and F.S.M. be extended for a period of four (4) years and that the City's annual operating budget be established at \$0.25 per capita plus any in-kind services as may be appropriate for the F.S.M.; and,

Whereas consideration of future budget submissions by F.S.M. are subject to staff approval of proposed annual work plans, submission of quarterly progress reports, and completion of prior year commitments; and,

Whereas in accordance with Council direction, the City entered into a 4-year Service Agreement with F.S.M. dated March 5, 2024, which includes annual funding at \$0.25 per capita plus an expansion of in-kind services (office space plus 2 parking spaces), subject to the City's review and approval of F.S.M.'s annual work plans, submission of quarterly progress reports, and completion of commitments from prior years; and,

Whereas to date, F.S.M. has successfully met the requirements for submitting quarterly progress reports and has achieved the following for the first three quarters of 2024:

- Raised \$72,865 through membership fees, grants and donations; and,
- Organized 50 events, including hikes, presentations and stewardship activities engaging over 1,200 participants.

Therefore, be it resolved that Item CO-24-58 dated November 13, 2024 concerning the obligations to financial contributions related to the agreement with the Friends of Second Marsh be received for information.

CO-24-59 - Reduction of Speed on Central Park Boulevard North (Ward 3)

That the posted speed limit on Central Park Boulevard North between Beatrice Street East and the 40 Km/h zone just south of Exeter Street be reduced from the current 50 Km/h to 40 Km/h.

Report of the Corporate and Finance Services Committee

CF-24-65 - Update on the StopGap Pilot Project (All Wards)

That based on Report CF-24-65, dated October 30, 2024, City Council extend the StopGap pilot program in Oshawa until 2026 with the following changes:

- The insurance requirement for participating businesses be lowered from \$5 million to \$2 million.
- A license agreement be established between the City of Oshawa and participating businesses, in a form and content agreeable to the Commissioner, Economic and Development Services.

Report of the Economic and Development Services Committee

ED-24-125 - Application Under the Urban Growth Centre Community Improvement Plan and Other Requested Incentives, 40 King Street West, 1000923055 Ontario Inc. (Ward 4)

1. That, based on Report ED-24-125 dated October 30, 2024, 1000923055 Ontario Inc. be provided the following in respect to its proposed redevelopment/conversion of the existing, largely vacant office building at 40 King Street West to a mixed-use commercial/residential building featuring 119 rental apartment units under the City's Urban Growth Centre Community Improvement Plan:
 - a. An Increased Assessment Grant of 50% per year for 15 years totaling \$2,078,670 over the 15-year period. This percentage may change over the 15-year grant period to ensure the grant total is achieved based on M.P.A.C.'s final assessment; and,
2. That 1000923055 Ontario 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 necessarily limited to:
 - a. A building permit for the conversion of the office space into residential units must be issued by February 1, 2025 and that construction activity commence within six (6) months of permit issuance;
 - b. The project must be completed and available for first occupancy by February 1, 2027 to the satisfaction of the Chief Building Official;
 - c. 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;
 - d. 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;
 - e. 1000923055 Ontario Inc. shall continuously comply with any City agreement and City By-laws;
 - f. That any Increased Assessment Grant will only be provided to 1000923055 Ontario Inc. after all applicable City taxes have been paid by the property owner;
 - g. The building architecture is to be designed to the satisfaction of the Commissioner, Economic and Development Services Department;
 - h. 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 redevelopment and allow them an opportunity to bid on the proposal; and,
 - i. Any other appropriate criteria considered advisable by the City Solicitor and the 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; and,

4. That the Mayor and Chair of the Economic and Development Services Committee be authorized to write a letter to the Region of Durham to request support for 1000923055 Ontario Inc.'s proposed redevelopment at 40 King Street West 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.

ED-24-128 - 2024 Update on the City of Oshawa's Ability to Meet the Provincial Target of 23,000 New Homes in Oshawa between 2022 and 2031 (All Wards)

That Report ED-24-128 dated October 30, 2024 providing the 2024 update on the City's ability to meet the Provincial target of 23,000 new homes in Oshawa between 2022 and 2031 be received for information.

ED-24-129 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 (All Wards)

That pursuant to Report ED-24-129 dated October 30, 2024, staff 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.

Report of the Safety and Facilities Services Committee

SF-24-47 - Oshawa Public Libraries - Request to Rename Delpark Homes Centre Branch or a Future Library Branch (All Wards)

1. That based on Report SF-24-47 dated November 13, 2024, the request to rename the Delpark Homes Centre Branch after Ruth Brooking be denied as the facility has already undertaken a name change from Legends Centre to Delpark Homes Centre; and,
2. That the naming rights of a future branch be considered only after all potential partnerships or sponsorships have been explored.

Other Staff Reports and Motions

By-Laws

134-2024 - A By-law to Amend and Reinstate Shareholder Declaration for Oshawa Power and Utilities Corporation (HoldCo) and its subsidiary, Oshawa P.U.C. Networks Inc. WiresCo

135-2024 - A By-law to reduce the speed on Central Park Boulevard North between Beatrice Street East and south of Exeter Street

Public Discussion Agenda

Matters Excluded from Consent Agenda

CNCL-24-125 - Correspondence from Hamilton City Council concerning the process to Appoint a Municipal Representative to the Hamilton-Oshawa Port Authority Board of Directors (All Wards)

Consent Motion:

That based on Correspondence CNCL-24-125 dated October 16, 2024 from the City of Hamilton regarding the Hamilton-Oshawa Port Authority Board of Directors:

1. That Council reconsider its position of February 26, 2024 concerning the process to appoint a municipal representative to the Hamilton-Oshawa Port Authority Board of Directors; and,
2. That the following be added as Part 5: 'That if either the City of Hamilton or the City of Oshawa does not endorse the Hamilton-Oshawa Port Authority's candidate, the Board shall put forth the next highest-ranking candidate for endorsement, until such time that both Councils endorse the same candidate'.

Councillor Marks joined the meeting at 9:41 a.m.

The vote to adopt Part 1 of the recommendation contained in Correspondence CNCL-24-125

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

Negative (1): Councillor Nicholson

Carried (10 to 1)

The vote to adopt Part 2 of the recommendation contained in Correspondence CNCL-24-125.

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

Carried (11 to 0)

CO-24-56 - Future Use of the Bocce Courts at Radio Park (Ward 4)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interesting concerning Report CO-24-56 regarding the Future Use of the Bocce Courts at Radio Park as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+) and did not take part in discussion or voting on the matter.)

Councillor McConkey temporarily left the meeting.

Consent Motion:

That based on Report CO-24-56 dated November 13, 2024 concerning the future use of the Bocce Courts in Radio Park:

1. That staff continue to promote and permit the use of the Bocce Courts through the Facility Booking Office; and,
2. That staff investigate opportunities for Oshawa Senior Community Centres 55+ to utilize the Bocce Courts in Radio Park for recreational programming.

The vote to adopt the recommendation contained in Item CO-24-56

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

Conflict (1): Councillor Neal

Absent (1): Councillor McConkey

Carried (9 to 0)

Councillor McConkey re-entered the meeting.

CF-24-64 - Corporate Communications Modernization (All Wards)

Consent Motion:

1. That based on Report CF-24-64 regarding Corporate Communications Modernization dated October 30, 2024, Oshawa's Strategic Communications Roadmap: A Modernized Framework as set out in Attachment 1 be approved; and,
2. That Council repeal the "Media Events, Groundbreaking, Grand Opening and Opening Ceremonies Guidelines Manual" and "Media Relations Guidelines Manual" as set out in Report CORP-19-02 dated January 19, 2019; and,
3. That Council approve the "Official Openings Policy and "Communications Policy" as set out in Attachments 2 and 3 of said Report.

Councillor Neal temporarily left the meeting.

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

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)

CF-24-66 - Community Sport and Recreation Infrastructure Fund – Stream 2 (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 2 provides funding to invest in new, transformative community sport and recreation infrastructure, including assets that do not currently exist in a community or the replacement of existing assets that have reached the end of their lifespan; and

Whereas, the Community Sport and Recreation Infrastructure Fund – Stream 2 will fund projects up to 50% of eligible costs up to \$10 million; and

Whereas, the Rotary Park Redevelopment will replace the previous pool infrastructure which was demolished having reached the end of its lifespan and re-establish outdoor recreation in a priority neighbourhood identified by the Region of Durham; and

Whereas, the facility will help expand programming and contribute to the economic development of the area through job creation and place making; and

Whereas, the outdoor swimming pool will be transformative as one of the only remaining outdoor pools in Durham Region, which will also include a destination playground and splash pad and pathways to connect to the Joseph Kolodzie Trail and Brick By Brick Park; and

Whereas, the estimated total cost related to the Rotary Park Redevelopment project is \$25 million and has been identified as a Legacy Project for the City of Oshawa's centennial celebrations; and

Whereas, approved projects must be completed with all eligible project expenses incurred no later than March 31, 2027; and

Whereas, the Community Sport and Recreation Infrastructure Fund – Stream 2 requires municipalities to seek endorsement from Council:

Therefore, be it resolved that based on CF-24-66, dated November 4, 2024, the Rotary Park Redevelopment project be endorsed for the grant submission to the Community Sport and Recreation Infrastructure Fund – Stream 2 program.

Councillor Neal re-entered the meeting.

The vote to adopt the recommendation contained in Item CF-24-66

Carried

SF-24-48 - Areas of Safe Haven at Fire Halls for Women and Girls Experiencing Violence (All Wards)

Consent Motion:

1. That based on Report SF-24-48 dated November 13, 2024 concerning areas of safe haven for women and girls experiencing violence, staff explore and report back on the requirements and external resources needed for establishing designated safe haven areas at Fire Halls 1, 3, 5, and 6 in Oshawa to support women and girls experiencing violence; and,

2. That staff report back on the implementation of safe-surrender boxes at the aforementioned fire halls as a compassionate, anonymous and secure option for mothers in crisis who are unable to care for their newborns and/or small children.

The vote to adopt the recommendation contained in Item SF-24-48

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

Carried (11 to 0)

Items Pulled from the Information Package

None

Closed Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated November 25, 2024 be adopted as recommended except for the following:

Closed Reports ED-24-126 and ED-24-127 from the Thirty-ninth Report of the Economic and Development Services Committee.

Carried

Correspondence with recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

None

Report of the Corporate and Finance Committee Services

None

Report of the Economic and Development Services Committee

ED-24-124 - Request for a Limiting Distance Agreement on the City-owned Land located at 47 Bond Street West (Ward 4)

That based on Closed Report ED-24-124 dated October 30, 2024, the Economic and Development Services Committee proceed as outlined in Section 4.5.1 of said Report.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the meeting recess and reconvene in a session closed to the public pursuant to Section 239(2),(c),(i),(j) and (k) of the Municipal Act in order to consider Item ED-24-126 which concerns a proposed or pending acquisition or disposition of land; A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; a trade secret or scientific, technical, commercial or financial information that belongs to the City and has monetary value or potential monetary value; 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; and

Item ED-24-127 concerning the proposed or pending acquisition or disposition of land.

Carried

Moved by Councillor Nicholson
Seconded by Councillor Marks

That the meeting recess for 5 minutes.

Carried

The meeting recessed at 10:10 a.m. and reconvened at 10:15 a.m. in a session closed to the public with all members of Council present in the Chamber Council except Mayor Carter, Councillor McConkey and Councillor Neal who participated electronically.

Also in attendance were 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; the Manager, Procurement; and F. Bianchet and K. Christopher, Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session at 10:15 a.m.

Closed meeting discussions took place.

Councillor Marimpietri and the Manager, Procurement left the meeting.

Closed meeting discussions continued.

Moved by Councillor Nicholson
Seconded by Councillor Marks

That Council rise from close session and report.

Carried

Council rose from closed session at 11:12 a.m.

Closed Meeting Report

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

Members of Council questioned the City Solicitor and the Manager, Procurement, concerning Report ED-24-126

The City Solicitor and the Manager, Procurement, responded to questions from Council.

Mayor Carter temporarily left the meeting and re-entered.

Councillor Marimpietri and the Manager, Procurement left the meeting.

Members of Council questioned the City Solicitor and the Commissioner, Economic and Development Services Department concerning Report ED-24-127

The City Solicitor and the Commissioner, Economic and Development Services Department responded to questions from Council.

This concludes the closed meeting summary.

Mayor Carter left the meeting.

Councillor Marimpietri re-entered the meeting.

ED-24-126 - Results of the Request for Proposal Process for the Future Use of the City-owned Public Parking Lot (Lot 4) located on the north side of Athol Street East, between Centre Street South and Simcoe Street South (Ward 4)

Consent Motion:

That pursuant to Closed Report ED-24-126 dated October 30, 2024 concerning the results of the request for proposal process for the future use of the City-owned public parking lot (lot 4) located on the north side of Athol Street East, between Centre Street South and Simcoe Street South:

1. That the recommended proponent as outlined in Section 4.2.4 of said Closed Report, be endorsed as the successful proponent of the Request for Proposal (Reference Number C-2024-045) to develop the City-owned Parking Lot 4 located on the north side of Athol Street East, east of Centre Street South and west of Simcoe Street South; and,
2. That the City-owned Parking Lot 4 located on the north side of Athol Street East, east of Centre Street South and west of Simcoe Street South, be declared surplus to municipal requirements and that the requirement to declare a City-owned property first as potentially surplus in accordance with the City's Real Estate Acquisition and Disposition By-law 178-2022 be waived, given the localized nature of the matter and the work

previously undertaken through the preceding Request for Expression of Interest and Request for Proposal processes (Reference Numbers C2023-100 and C2024-045, respectively).

3. That all notice requirements in accordance with the City's Real Estate Acquisition and Disposition By-law 178-2022 be waived given the localized nature of Council's decision to declare the City-owned Parking Lot 4 located on the north side of Athol Street East, east of Centre Street South and west of Simcoe Street South, as surplus.
4. That, in the event Council declares the City-owned Parking Lot 4 located on the north side of Athol Street East, east of Centre Street South, and west of Simcoe Street South as surplus to municipal requirements pursuant to Closed Report ED-24-126 dated October 30, 2024, staff be authorized to execute the disposal strategy outlined in Section 4.3.3 of said Closed Report for the subject parking lot.

A request was made to vote on Part 1 separately.

The vote on Part 1 of the recommendation contained in Closed Report ED-24-126.

Affirmative (4): Councillor Chapman, Councillor Gray, Councillor Marimpietri, and Councillor Marks

Negative (6): Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Absent (1): Mayor Carter

Lost (4 to 6)

Moved by Councillor Kerr

Seconded by Councillor Nicholson

That the following be adopted as a new Part 1: "That the proponent as outlined in Section 4.2.2 of said Closed Report, be endorsed as the successful proponent of the Request for Proposal (Reference Number C-2024-045) to develop the City-owned Parking Lot 4 located on the north side of Athol Street East, east of Centre Street South and west of Simcoe Street South."

Moved by Councillor Gray

Seconded by Councillor Giberson

That Closed Report ED-24-126 be referred back to the Economic and Development Services Committee.

Affirmative (6): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Lee, Councillor Marks, and Councillor Neal

Negative (4): Councillor Kerr, Councillor Marimpietri, Councillor McConkey, and Councillor Nicholson

Absent (1): Mayor Carter

Carried (6 to 4)

ED-24-127 - Potential Disposition of Certain City-owned land located on the south side of Athol Street East, between Celina and Albert Street (Ward 4)

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri made a declaration of interest concerning Report ED-24-127 regarding the potential disposition of certain City-owned land located on the south side of Athol Street East, between Celina and Albert Street as he has family who own property in the area and did not take part in discussion or voting on the matter.)

Consent Motion:

That based on Closed Report ED-24-127 dated October 30, 2024 concerning the potential disposition of certain City-owned land located on the south side of Athol Street East, between Celina and Albert Street:

1. That the City-owned parking lot located on the south side of Athol Street East, between Celina Street and Albert Street, be declared surplus to municipal requirements, conditional upon implementation of the revised disposal strategy as generally outlined in Section 4.5.1 and Attachment 4 of said Report, and that the requirement to declare a City-owned property first as potentially surplus in accordance with the City's Real Estate Acquisition and Disposition By-law 178-2022 be waived, given the localized nature of the matter and the work previously undertaken through the preceding process to declare the associated air and underground rights for the City-owned parking lot located on the south side of Athol Street East, between Celina Street and Albert Street, as conditionally surplus; and,
2. That all notice requirements in accordance with the City's Real Estate Acquisition and Disposition Bylaw 178-2022 be waived in view of the previous notices that were provided during the process to declare the associated air and underground rights for the City-owned parking lot located on the south side of Athol Street East, between Celina Street and Albert Street, as conditionally surplus; and,
3. That in the event Council declares the City-owned parking lot located on the south side of Athol Street East, between Celina Street and Albert Street, as conditionally surplus to municipal requirements pursuant to Closed Report ED-24-127 dated October 30, 2024, the Commissioner, Economic and Development Services Department, be directed to execute the revised disposal strategy for the subject parking lot as generally outlined in Section 4.5.1 and Attachment 4 of said Report.

Amendment:

Moved by Councillor McConkey

Seconded by Councillor Neal

That the motion be amended to change the description of the of City-owned land.

The motion to amend the recommendation was ruled out of order by the Chair.

Councillor McConkey challenged the ruling of the Chair.

The vote to uphold the Chair's ruling.

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

Negative (2): Councillor McConkey, and Councillor Neal

Conflict (1): Councillor Marimpietri

Absent (1): Mayor Carter

Carried (7 to 2)

The vote to adopt the recommendation contained in Item ED-24-127.

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

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

Conflict (1): Councillor Marimpietri

Absent (1): Mayor Carter

Carried (6 to 3)

Items Requiring Council Direction

None

Matters Tabled

None

Notices of Motion

None

Confirming By-Law

Moved by Councillor Marimpietri

Seconded by Councillor Nicholson

That the confirming by-law be passed.

Carried

Adjournment

Moved by Councillor Marks
Seconded by Councillor Nicholson

That the meeting adjourn at 11:26 a.m.

Carried

Mayor

City Clerk