



**Oshawa City Council  
Minutes**

**December 16, 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

Absent: Councillor Nicholson

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**Public Meeting**

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

**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.

**National Anthem**

**Council Member Announcements**

Various announcements were made relating to activities and events.

**Additional Agenda Items**

None

**Declarations of Pecuniary Interest**

None

**Presentations**

None

**Delegations**

None

**Items requiring Council Direction**

Moved by Councillor Kerr

Seconded by Councillor Marimpietri

That the order of the agenda be altered to bring forward Item ED-24-126 at this time. **(Requires 2/3 vote of members present.)**

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

Absent (1): Councillor Nicholson

Carried (10 to 0)

**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)**

Moved by Councillor Kerr

Seconded by Councillor Marimpietri

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. a) That Council reconsider its decision of November 25, 2024 concerning Part 1 of the recommendation contained in Item ED-24-126; and, b) That the recommended proponent as outlined in Section 4.2.4 of said Closed Report ED-24-126, 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); and,
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; and,
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.

Councillor Neal left the meeting at 9:42 a.m.

The vote on Part 1 (a) to reconsider Part 1 Council's decision of November 25, 2024 concerning Item ED-24-126. **(Requires 2/3 vote of members present.)**

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

Absent (2): Councillor Neal, and Councillor Nicholson

Carried (9 to 0)

The vote to adopt the remainder of the recommendation contained in Item ED-24-126.

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

Negative (2): Councillor Giberson, and Councillor McConkey

Absent (2): Councillor Neal, and Councillor Nicholson

Carried (7 to 2)

## **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 December 16, 2024 be adopted as recommended except for the following:

The minutes of the Council Meetings of November 22, 2024 and November 25, 2024; and,

Item CO-24-60 from the Twenty-first Report of the Community and Operations Services Committee; and

Item ED-24-137 and related By-laws 144-2024 and 145-2024 from the Fortieth Report of the Economic and Development Services Committee.

Carried

### **Adoption of Council Minutes**

See Matters Excluded from Consent Agenda

### **Correspondence with recommendations**

None

### **Standing Committee Reports**

#### **Report of the Community and Operations Services Committee**

##### **CO-24-61 - Cemetery By-Law Update (CS-18-44) (All Wards)**

Whereas the City of Oshawa's Cemetery By-law 76-2012, as amended ("Cemetery By-law 76-2012") was approved by Council in 2012 following the legislative transition from the now-repealed Cemeteries Act, R.S.O. 1990, c. C.4 to the Funeral, Burial, and Cremation Services Act, 2002, S.O. 2002, c. 33 ("Funeral, Burial and Cremation Services Act, 2002"); and,

Whereas the Cemetery By-law 76-2012 does not reflect modern "best practices" for cemetery operations and is outdated; and,

Whereas the proposed amendments include but are not limited to:

- Modernization of definitions to ensure consistency with industry best practice
- Providing the ability to implement modern products such as private structures containing a niche
- Providing the ability to accommodate additional Marker options

Whereas the Bereavement Authority of Ontario is a not-for-profit corporation established as a delegated administrative agency under the Safety and Consumer Statutes Administration Act, 1996, S.O. 1996, c. 19, and is responsible for administering designated provisions of the Funeral, Burial and Cremation Services Act, 2002 and its regulations with the purpose of protecting the public interest and ensuring a fair, safe and informed marketplace, while also regulating the bereavement sector in the Province of Ontario and ensuring compliance with the law; and,

Whereas the Bereavement Authority of Ontario is required to review and approve the amended By-laws before they can take effect;

Therefore be it resolved:

1. That based on CO-24-61 dated December 4, 2024 the new Cemetery By-law be passed and the By-law be in the final form and content satisfactory to the Bereavement Authority of Ontario and the City Solicitor; and,
2. That Cemetery By-law 76-2012, as amended, be repealed.

**CO-24-62 - Community and Operations Services Committee Outstanding Items Status Report - Fourth Quarter 2024 (All Wards)**

1. Whereas Correspondence CO-24-41 concerning educational plaques at Ed Broadbent Park was referred to staff to report on the consultation process, plaque content, size, location, and cost; and, Whereas the consultation process and proposed content fall under the purview of the Diversity, Equity and Reconciliation Division, which is within the Corporate and Finance Services Department; Therefore, Item 9 concerning the addition of educational plaques at Ed Broadbent Park be removed from the Community and Operations Services Committee Outstanding Items List and placed on the Corporate and Finance Services Outstanding Items List; and,
2. That the remainder of the Community and Operations Services Outstanding Items Status Report for the Fourth Quarter of 2024 be received for information.

**Report of the Corporate and Finance Services Committee**

**CF-24-67 - Borrowing By-law (All Wards)**

That the Borrowing By-law as outlined in Attachment 1 to Report CF-24-67, 2025 Borrowing By-law, dated November 27, 2024, be approved.

**CF-24-70 - Contract Award - C2024-068 Integrated & Active Transportation Master Plan (All Wards)**

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

Whereas in 2020 Council approved project 40-0043 for Integrated Transportation Master Plan Update in the amount of \$650,000, inclusive of non-rebateable H.S.T.; and,

Whereas Procurement issued a Request for Proposal (R.F.P.) C2024-068 for Integrated & Active Transportation Master Plan; and,

Whereas three (3) bids were received (publicly posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on September 24, 2024; and,

Whereas proposals were evaluated on qualification, experience, proposal quality, project deliverables, technical response, and price; and,

Whereas the evaluation team unanimously scored the bid received by WSP Canada 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 WSP Canada Inc. in the amount of \$621,971, plus H.S.T. (\$632,918 including non-rebateable H.S.T.) for Integrated & Active Transportation Master Plan; and, Therefore, be it resolved that pursuant to CF-24-70, that the Manager, Procurement award a contract to WSP Canada Inc. in the amount of \$621,971 excluding H.S.T. for C2024-068 Integrated & Active Transportation Master Plan.

**CF-24-71 - Additional Funding - C2024-082 - Forestry Master Plan (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 budget for project 40-0070 in the amount of \$120,000, inclusive of non-rebateable H.S.T. for the Forestry Master Plan; and,

Whereas Procurement issued a Request for Proposal (R.F.P.) C2024-082 for Forestry Master Plan; and,

Whereas two (2) bids were received (publicly posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on September 16, 2024; and,

Whereas proposals were evaluated on qualification, experience, proposal quality, project deliverables, technical response, and price; and,

Whereas the evaluation team unanimously scored the bid received by Kuntz Forestry Consulting 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 Kuntz Forestry Consulting Inc. in the amount of \$147,808, plus H.S.T. (\$150,409 including non-rebateable H.S.T.) for Forestry Master Plan; and,

Whereas, there is a funding shortfall of \$30,409, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$30,409 can be funded from the Trees in New Subdivisions Reserve;

Therefore, be it resolved that, pursuant to Item CF-24-71:

1. That additional funding of \$30,409 be funded from the Trees in New Subdivisions Reserve be approved; and,
2. That the Manager, Procurement be authorized to award a contract to Kuntz Forestry Consulting Inc. in the amount of \$147,808 plus H.S.T. for C2024-082 Forestry Master Plan.

**CF-24-72 - Corporate and Finance Services Committee Outstanding Items Status Report - Fourth Quarter 2024 (All Wards)**

That Report CF-24-72 concerning the Corporate and Finance Services Committee's Outstanding Items Status Report for the fourth quarter of 2024 be received for information.

**CF-24-68 -Method of Election for the 2026 Municipal and School Board Elections (All Wards)**

That based on Report CF-24-68 dated November 27, 2024 concerning the method of election for the 2026 Municipal and School Board Elections:

1. That City Council direct staff to investigate internet voting for Advance Polls and internet voting and paper ballots with vote tabulators on Voting Day as the methods of voting for the 2026 Municipal and School Board Elections; and,
2. That staff be directed to issue a Request for Proposal for an internet voting system vendor capable of conducting internet voting in conjunction with paper ballots and vote tabulators, with the execution of any agreement being contingent upon a successful penetration test and security analysis to the satisfaction of the Director, Legislative Services/City Clerk and Chief Information Officer; and,
3. That staff report back to City Council regarding the penetration test and security analysis in order to pass the appropriate by-law concerning the method(s) of voting and any use of vote counting equipment as set out in Section 42(1) of the Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.

### **Report of the Economic and Development Services Committee**

#### **ED-24-132 - Second Update Concerning Heritage Oshawa's Recommendation to Designate 357 Simcoe Street South under Part IV of the Ontario Heritage Act (Ward 5)**

That, pursuant to Report ED-24-132 dated November 27, 2024, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 357 Simcoe Street South as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:

- Obtaining an updated Heritage Research Report to provide evidence that the property located at 357 Simcoe Street South specifically addresses the requirements of the Ontario Heritage Act;
- Preparing a Notice of Intention to Designate the property located at 357 Simcoe Street South under the Ontario Heritage Act which will generally include the Designation Statement and Description;
- Publishing the Notice in accordance with the Ontario Heritage Act;
- Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
- Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council.

#### **ED-24-134 - Extending the Exhibition Period of an Artwork at South Oshawa Community Centre (Ward 5)**

Whereas artists Amy Shackleton and Julian Brown submitted an application to the City of Oshawa's 2023 Artist-Initiated Projects Call for Artists to produce and exhibit a temporary artwork at Culture Days 2023; and,

Whereas the proposal submitted by the artists was selected by a jury comprised of Cultural Leadership Council members, Public Art Task Force (P.A.T.F.) members and City staff; and,

Whereas on September 7, 2023. the City entered into an agreement with the artists to create a temporary public artwork with an augmented reality component (the “Artwork”) at South Oshawa Community Centre; and,

Whereas the temporary artwork “HotSpot” was created in situ by the artists beginning on October 10, 2023 and exhibited at the South Oshawa Community Centre as a short term installation; and,

Whereas the agreement for the temporary artwork “HotSpot” expired on November 21, 2024 and has been temporarily extended with an expected removal date of on or before February 21, 2025; and,

Whereas the artists Amy Shackleton and Julian Brown have shown interest in extending the exhibition of the temporary artwork; and,

Whereas the temporary artwork has received positive public attention and is appreciated at the South Oshawa Community Centre; and,

Whereas the P.A.T.F. endorsed an extension of the temporary artwork exhibition period at their meeting on November 12, 2024; and,

Whereas the City of Oshawa’s Public Art Policy specifies that Council is responsible for “approving the related budget, expenditures and sites” of public artworks; and,

Whereas the temporary artwork’s site has already received Council approval through CS-17-11, the budget for extension requires Council approval, and this cost can be accommodated through the existing Business and Economic Development Services operating budget;

Therefore be it resolved that pursuant to Item ED-24-134:

1. That the artist fee of \$1,086.80 for a one year extension of the temporary artwork “HotSpot” at South Oshawa Community Centre be approved; and,
2. That the Director, Business and Economic Development Services, be delegated authority to execute an agreement with the artists to extend the exhibition period of the temporary artwork for one year, resulting in the temporary artwork being removed on or before February 21, 2026.

**ED-24-138 - Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 111 and 117 King Street East and 0 Athol Street East, 2856355 Ontario Inc. (Ward 4)**

That pursuant to Report ED-24-138 dated November 27, 2024 concerning applications to amend the Oshawa Official Plan and Zoning By-law 60-94 at 111 and 117 King Street East and 0 Athol Street East:

1. That the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to amend the Oshawa Official Plan (File: OPA-2024-03) to permit a new mixed-use building having a residential density of 1,622 units per hectare (656 u/ac.) on lands municipally known as 111 and 117 King Street East and 0 Athol Street East be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor; and,



2. That the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to amend Zoning By-law 60-94 (File: Z-2024-04) to permit a new mixed-use building consisting of a podium with three (3) towers ranging in height from 31 storeys to 37 storeys containing a total of 1,308 apartment units and 1,374 square metres (14,793 sq. ft.) of commercial floor space on lands municipally known as 111 and 117 King Street East and 0 Athol Street East be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.

### **ED-24-139 - Economic and Development Services Committee Outstanding Items List Status Report - Fourth Quarter 2024 (All Wards)**

That Report ED-24-139 dated November 26, 2024 being the Economic and Development Services Committee's Outstanding Items List Status Report for the fourth quarter of 2024 be received for information.

### **ED-24-142 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 to Permit Accessory Apartments (All Wards)**

That 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 to permit accessory apartments within a building accessory to a single detached dwelling or semi-detached dwelling in areas outside of serviced urban areas (i.e. rural areas).

### **Report of the Safety and Facilities Services Committee**

#### **SF-24-49 - Technical Amendments to the Traffic and Parking By-law and Support Heavy Vehicle Prohibition Enforcement (All Wards)**

Whereas the Traffic and Parking By-law 79-99, as amended ("Traffic and Parking By-law") is a by-law to regulate traffic and parking on highways, in parking lots and parkades, and on municipal property under the jurisdiction of the City of Oshawa ("City") and on private property; and,

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

Whereas City staff have identified an opportunity to implement minor technical amendments to the Traffic and Parking By-law to enhance enforcement tools related to existing Heavy Vehicle Prohibitions found in Article 20.0 by establishing Tiered and Escalating Administrative Monetary Administrative Penalty ("A.M.P.") to encourage compliance with said prohibition and increase clarity, and including the following amendments to the Traffic and Parking By-law:

- Amendment to Article 24.0 by designating contraventions of Article 20.0 and resulting A.M.P.s as being subject to the City's Administrative Penalty Process By-law 63-2013, as amended;
- Amendment to Article 24.0 by including the definition of "Person" to increase clarity of who can be liable for a contravention of the Traffic and Parking By-law;

- Amend Schedule XXIV by adding Tiered and Escalating A.M.P.s for non-compliance with Article 20.0 of the Traffic and Parking By-law with the following tiers:
  - Tier 1: \$250
  - Tier 2: \$350
  - Tier 3: \$450;

Therefore, based on Item SF-24-49 dated December 4, 2024 concerning technical amendments to Traffic and Parking By-law 79-99, as amended to support heavy vehicle prohibition enforcement:

1. That Council pass a by-law to further amend Traffic and Parking By-law 79-99, as to amended to include technical amendments regarding enhanced enforcement tools to encourage compliance with existing Heavy Vehicle Prohibitions; and,
2. That the By-law be in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department.

**SF-24-50 - Community Risk Assessment Update (All Wards)**

That Report SF-24-50 dated December 4, 2024, concerning the community risk assessment update be received for information.

**SF-24-51 - Safety and Facilities Services Committee Outstanding Items List Status Report - Fourth Quarter 2024 (All Wards)**

That Report SF-24-51, dated December 4, 2024 being the Safety and Facilities Services Committee's Outstanding Items List Status Report for the fourth quarter of 2024 be received for information.

**Other Staff Reports and Motions**

**CNCL-24-127 - Appointment of Acting Deputy City Clerk (All Wards)**

Whereas the Office of the City Clerk is held by Mary Medeiros pursuant to By-law 136-2019; and,

Whereas the Office of the Deputy City Clerk is held by Laura Davis pursuant to By-law 136-2019; and,

Whereas it is appropriate to appoint an Acting Deputy City Clerk in the event both the City Clerk and Deputy City Clerk are unable to carry on their duties through illness or otherwise,

Therefore, based on Item CNCL-24-127 dated December 11, 2024:

1. That Felicia Bianchet be appointed as Acting Deputy City Clerk of the Corporation of the City of Oshawa effective December 16, 2024 until April 1, 2025; and,
2. That the aforementioned Acting Deputy City Clerk shall have all the powers and duties of the City Clerk under the Municipal Act and every other Act in the event both the City Clerk and Deputy City Clerk are unable to carry on their duties through illness or otherwise; and,

3. That the necessary by-law be passed in the final form and content satisfactory to the City Solicitor.

## **By-Laws**

The following by-laws were passed:

**144-2024 - A By-law to Adopt Amendment 224 to the City of Oshawa Official Plan**

**145-2024 - A By-law to Amend Zoning By-law 60-94, as amended**

**146-2024 - A By-law to Adopt Amendment 225 to the Oshawa Official Plan**

**147-2024 - A By-law to Amend Zoning By-law 60-94, as amended**

**148-2024 - A By-law to Appoint an Acting Deputy City Clerk of the Corporation of the City of Oshawa**

**149-2024 - A By-law to Amend Building By-law 33-2009, as amended**

**150-2024 - A By-law to Further Amend Traffic and Parking By-law 79-99, as amended**

**151-2024 - A By-law to Authorize Borrowing from Time to Time to Meet Current Expenditures During the Fiscal Year Ending December 31, 2025**

## **Public Discussion Agenda**

### **Matters Excluded from Consent Agenda**

### **Adoption of Council Minutes**

#### **Consent Motion:**

That the minutes of the City Council meetings held on November 22 and November 25, 2024 be adopted.

The vote to adopt the minutes of the City Council meeting held on November 22, 2024.

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

Negative (1): Councillor McConkey

Absent (2): Councillor Neal, and Councillor Nicholson

Carried (8 to 1)

The vote to adopt the minutes of the City Council meeting held on November 25, 2024.

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

Negative (1): Councillor McConkey

Absent (2): Councillor Neal, and Councillor Nicholson

**CO-24-60 - Parking Utilization Study in the Downtown Oshawa Urban Growth Centre (D.O.U.G.C.) (All Wards)**

**Consent Motion:**

That in consideration of Report CO-24-60, dated December 4, 2024, staff investigate and report back on options to modernize the existing Municipal Parking System serviceability and efficiency, including but not limited to:

- Alternative service delivery models within the existing parking system
- Downtown wayfinding
- Interactive and integrated parking technology
- Public communications
- Fee structures

**Amendment:**

Moved by Councillor Giberson

Seconded by Councillor Lee

That the motion be amended to add the following as a sixth bullet point "Financial summary of operations costs, revenues and capital investment"

Carried

The vote to adopt the recommendation contained in Item CO-24-60, as amended.

Carried

**ED-24-137 - Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 13, 15 and 29 Charles Street, 2856355 Ontario Inc. (Ward 4)**

**Consent Motion:**

1. That, pursuant to Report ED-24-137 dated November 27, 2024, the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to amend the Oshawa Official Plan (File: OPA-2024-04) to permit a new 25-storey mixed use building having a residential density of 2,218 units per hectare (408 student apartment units) on lands municipally known as 13, 15 and 29 Charles Street be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor; and,
2. That, pursuant to Report ED-24-137 dated November 27, 2024, the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to

amend Zoning By-law 60-94 (File: Z-2024-05) to permit a new 25-storey mixed-use building containing 408 student apartment units, 3,323 square metres (35,770 sq. ft.) of commercial floor space and 103 parking spaces on lands municipally known as 13, 15 and 29 Charles Street be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.

The vote to adopt the recommendation contained in Item ED-24-137 and pass associated By-laws 144-2024 and 145-2024.

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

Negative (3): Councillor Gray, Councillor Kerr, and Councillor McConkey

Absent (2): Councillor Neal, and Councillor Nicholson

Carried (6 to 3)

Moved by Councillor Giberson

Seconded by Councillor Chapman

That the Rules of Procedure be waived to add Item CF-24-69 concerning the Leasing of Computer Equipment. **(Requires 2/3 vote of members present)**

Carried

### **CF-24-69 - Leasing of Computer Equipment (All Wards)**

Moved by Councillor Giberson

Seconded by Councillor Chapman

Whereas the Treasurer is required to obtain Council's approval prior to entering into a financing lease; and,

Whereas Information Technology Services requires additional hardware including surface tablets, desktops and servers to continue re-establishing standard lease and replacement cycles and to meet the technology requirements of the City; and,

Whereas Request for Tender (R.F.T.) C2024-050 Microsoft Surfaces & Accessories and Request for Tender (R.F.T.) C2024-052 Computer Equipment allowed for the successful bidders, Nova Networks and CDW Canada Corp. respectively, to be the suppliers of record until June 30, 2025; and,

Whereas Procurement obtained quotes from Nova Networks for Microsoft surfaces and accessories in the amount of \$90,888 and CDW Canda Corp. for servers and desktop computers in the amount of \$96,176; and,

Whereas the financial implications are set out on Attachment 1;

Therefore, be it resolved that, pursuant to CF-24-69:

1. That the Manager, Procurement be authorized to award contracts, as detailed in Report CF-24-69 dated December 2, 2024, as follows:
  - a. Microsoft Surfaces & Accessories to Nova Networks, in the amount of \$90,888 excluding all taxes (leasing company Macquarie Equipment Finance Ltd. to pay equipment supplier directly);
  - b. Computer Equipment to CDW Canada Corp., in the amount of \$96,176 excluding all taxes (leasing company Macquarie Equipment Finance Ltd. to pay equipment supplier directly);
2. 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-24-69.

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 December 16, 2024 be adopted as recommended except for Closed Report CNCL-24-126.

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-24-136 - Land Acquisition Needs for Future Fire Stations 7 and 8 Including Potential Co-location Opportunities for Durham Region Emergency Services, and an Oshawa Power Substation (Wards 1 and 2)**

That the Economic and Development Services Committee select Option 1 as set out in Section 4.3 of Report ED-24-136 dated November 27, 2024 concerning land acquisition needs for future Fire Stations 7 and 8 including potential co-location opportunities for Durham Region Emergency Services and an Oshawa Power Substation.

**Report of the Safety and Facilities Services Committee**

None

**Other Staff Reports and Motions**

**CNCL-24-128 - Yearly Performance Review Evaluation of the Chief Administrative Officer (All Wards)**

That Report CNCL-24-128 dated December 11, 2024 concerning the 2024 performance evaluation of the Chief Administrative Officer be received for information.

**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-24-136 - Land Acquisition Needs for Future Fire Stations 7 and 8 Including Potential Co-location Opportunities for Durham Region Emergency Services, and an Oshawa Power Substation (Wards 1 and 2)**

That the Economic and Development Services Committee select Option 1 as set out in Section 4.3 of Report ED-24-136 dated November 27, 2024 concerning land acquisition needs for future Fire Stations 7 and 8 including potential co-location opportunities for Durham Region Emergency Services and an Oshawa Power Substation.

**Report of the Safety and Facilities Services Committee**

None

**Other Staff Reports and Motions**

**CNCL-24-128 - Yearly Performance Review Evaluation of the Chief Administrative Officer (All Wards)**

That Report CNCL-24-128 dated December 11, 2024 concerning the 2024 performance evaluation of the Chief Administrative Officer be received for information.

**Closed Discussion Agenda**

## **Matters Excluded from Consent Agenda**

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)(e) and (f) of the Municipal Act in order to consider Item CNCL-24-126 which concerns litigation or potential litigation, including matters before administrative tribunals, affecting the City; and advice that is subject to solicitor-client privilege including communications necessary for that purpose.

Carried

Moved by Councillor Marimpietri  
Seconded by Councillor Chapman

That the meeting recess for 5 minutes.

Carried

The meeting recessed at 10:16 a.m. and reconvened at 10:21 a.m. in a session closed to the public with all members of Council present in the Chamber Council except Councillor McConkey who participated electronically and Councillor Neal and Councillor Nicholson were absent.

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; A. Snow, Lawyer; and F. Bianchet and K. Christopher, Council-Committee Coordinators.

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

Council entered closed session at 10:21 a.m.

Closed meeting discussions took place.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council rise from close session and report.

Carried

Council rose from closed session at 10:32 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 A. Snow, Lawyer concerning Report CNCL-24-126.

The City Solicitor and A. Snow, Lawyer, responded to questions from Council.

This concludes the closed meeting summary.



**CNCL-24-126 - Durham Flight Centre Inc. - Status Update (Ward 2)**

**Consent Motion:**

That based on Report CNCL-24-126 dated December 10, 2024, City staff be authorized to proceed in accordance with Section 2.0 of said Report.

The vote to adopt the recommendation contained in Closed Report CNCL-24-126.

Carried

**Items Requiring Council Direction**

None

**Matters Tabled**

None

**Notices of Motion**

None

**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 10:35 a.m.

Carried

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Mayor

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City Clerk