## Oshawa City Council

## Minutes

**September 29, 2025, 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

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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 for Councillor Neal who participated electronically.

**National Anthem**

**Land Acknowledgement**

The City of Oshawa is situated on lands within the traditional and treaty territory of the Michi Saagiig and Chippewa Anishinaabeg and the signatories of the Williams Treaties, which include the Mississaugas of Scugog Island, Curve Lake, Hiawatha and Alderville First Nations, and the Chippewas of Georgina Island, Rama and Beausoleil First Nations.

We are grateful for the Anishinaabeg who have cared for the land and waters within this territory since time immemorial.

We recognize that Oshawa is steeped in rich Indigenous history and is now present day home to many First Nations, Inuit and Métis people. We express gratitude for this diverse group of Indigenous Peoples who continue to care for the land and shape and strengthen our community.

As a municipality, we are committed to understanding the truth of our shared history, acknowledging our role in addressing the negative impacts that colonization continues to have on Indigenous Peoples, developing reciprocal relationships, and taking meaningful action toward reconciliation.

We are all Treaty people.

**Council Member Announcements**

Various announcements were made relating to activities and events.

**Additional Agenda Items**

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the Delegation from Emily Noel concerning Item CF-25-44 being the 2026 Fees and Charges By-law Update; and,

That Correspondence CNCL-25-70 from Judy Jaeger submitting correspondence regarding Item SF-25-40 concerning a request to amend the By-law Enforcement Policy and Item CO-25-45 concerning a request to amend the Boulevard By-law, be added to the agenda of the City Council meeting of September 29, 2025, and referred to their respective items.

Carried

Moved by Councillor Nicholson
Seconded by Councillor Gray

That the rules of procedure be waived in order to introduce a time sensitive motion related to the South Oshawa Community Centre pool reconstruction. **(2/3 vote required)**

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

Carried (11 to 0)

Moved by Councillor Nicholson
Seconded by Councillor Gray

That Council reconsider its decision of May 26, 2025 concerning Part 2 of CNCL-25-32 concerning the re-tendering of the South Oshawa Community Centre pool reconstruction. **(2/3 vote required)**

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

Carried (11 to 0)

The following motion concerning Part 2 of CNCL-25-32 was now before Council:

"That the pool work be re-tendered"

The vote on the following concerning Part 2 of CNCL-25-32.

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

Lost (0 to 11)

Moved by Councillor Nicholson
Seconded by Councillor Gray

That a reasonable single-source contract be negotiated with the existing contractor to complete the remainder of the construction to the satisfaction of the Chief Administrative Officer and the Commissioner, Safety and Facilities Services Department in order to expedite the remaining work to re-open the South Oshawa Community Centre pool as soon as possible.

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)

**Declarations of Pecuniary Interest**

**Councillor Neal - CO-25-38 - Proposed Licence Agreement with the Durham Catholic District School Board for the Non-Exclusive use of Parking Spaces at Various City-owned Parks (All Wards)**

Councillor Neal declared a conflict of interest on Item CO-25-48 concerning the Proposed Licence Agreement with the Durham Catholic District School Board for the Non-Exclusive use of Parking Spaces at Various City-owned Parks (All Wards) as a member of his family has a contract with the Durham District Separate School Board and did not take part in discussion or voting on the matter.

**Presentations**

**Durham Regional Police Service Board - Annual Update**

Gary Cubitt and Chief Morrara, Durham Regional Police Service Board provided the annual update.

Members of Council questioned the representatives from the Durham Regional Police Service Board.

**Rotary Club Walk of Fame - 2025 Inductees**

Louise Parks, Rotary Club Walk of Fame introduced the inductees for 2025.

Members of Council questioned Louise Parks.

Moved by Councillor Kerr
Seconded by Councillor Giberson

That the meeting recess for 10 minutes.

Carried

The meeting recessed at 10:55 a.m. and reconvened at 11:05 a.m. with all members of Council in attendance except Councillor Neal who participated electronically.

**Delegations**

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegations from Tina McKay and Emily Noel be heard. **(Requires 2/3)**

Carried

**Tina McKay - Item CF-25-44**

Tina McKay addressed City Council concerning the 2026 Fees and Charges By-law Update as set out in Item CF-25-44.

Members of Council questioned Tina McKay.

**Emily Noel - Item CF-25-44**

Emily Noel addressed City Council concerning the 2026 Fees and Charges By-law Update as set out in Item CF-25-44.

**Items requiring Council Direction**

**CNCL-25-61 - Letter of Request from the Region of Durham to Endorse in Principle the Durham Greener Homes Program Enhancements (All Wards)**

Moved by Councillor Chapman
Seconded by Councillor Giberson

That based on Correspondence CNCL-25-61 dated August 28, 2025 from the Region of Durham, Oshawa City Council endorses in principle the Durham Greener Homes program enhancements.

Carried

**CNCL-25-60 - Review of Advisory Committees and Alternative Methods for Community Engagement (All Wards)**

That based on Report CNCL-25-60 dated September 24, 2025 concerning Advisory Committees and alternative methods for community engagement, Council select an appropriate option under section 4.7 of said Report.

Moved by Councillor McConkey
Seconded by Councillor Neal

That City Council move into Committee of the Whole to consider Report CNCL-25-60 concerning the Review of Advisory Committees and Alternative Methods for Community Engagement.

Affirmative (2): Councillor McConkey, and Councillor Neal

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

Lost (2 to 9)

Moved by Councillor Giberson
Seconded by Councillor Chapman

That based on Report CNCL-25-60 dated September 24, 2025 concerning Advisory Committees and alternative methods for community engagement:

1. That no changes to the Advisory Committee structure be implemented at this time, and;
2. That staff be directed to provide mandatory training to all current and future members of Advisory Committees; and,
3. That current and future appointments to Advisory Committees be contingent on participation in mandatory training concerning rules of procedure and accountability and transparency measures; and,
4. That the updated Advisory Committees of Council Policy as set out in Attachment 1 of said Report be endorsed as the primary guiding document for Advisory Committees; and,
5. That staff continue to pursue alternative forms of community engagement as outlined in said Report; and,
6. That staff be directed to consult with Advisory Committees and report back at the beginning of the next term of Council.

A request was made to vote on Part 1 of Report CNCL-25-60 separately from Parts 2 to 6.

The vote on Part 1 of the recommendation contained in Report CNCL-25-60.

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

Carried (11 to 0)

Moved by Councillor McConkey
Seconded by Councillor Nicholson

That Parts 2 to 6 of the recommendation contained in Report CNCL-25-60 be referred back to staff.

A request was made to vote on Parts 2 to 5 of the recommendation separately from Part 6.

That Parts 2 to 5 of the recommendation contained in Report CNCL-25-60 be referred back to staff.

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

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

Lost (5 to 6)

That Part 6 of the recommendation contained in Report CNCL-25-60 be referred back to staff.

Affirmative (5): Mayor Carter, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (6): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, and Councillor Marimpietri

Lost (5 to 6)

The vote on Parts 2 to 6 of the recommendation contained in Report CNCL-25-60.

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

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

Carried (8 to 3)

**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 September 29, 2025 be adopted as recommended except for the following:

Items CO-25-35, CO-25-43, CO-25-45, CO-25-47 from the Twenty-ninth Report of the Community and Operations Services Committee; and,

Items CF-25-47 and CF-25-44 and related By-law 104-2025 from the Thirty-first Report of the Corporate and Finance Services Committee; and

Item ED-25-85 and ED-25-95 from the Fifty-third Report of the Economic and Development Services Committee; and,

Items SF-25-42 and SF-25-45 from the Twenty-seventh Report of the Safety and Facilities Services Committee; and,

Report CNCL-25-64.

Carried

**Adoption of Council Minutes**

That the minutes of the City Council meetings held on June 23, 2025 and June 26, 2025, be adopted.

**Correspondence with recommendations**

**CNCL-25-65 - Oshawa Power and Utilities Corporation Succession Planning for the Board of Directors Oshawa Power and Utilities Corporation**

That based on Correspondence CNCL-25-65 from Oshawa Power and Utilities Corporation concerning Succession Planning for the Board of Directors Oshawa Power and Utilities Corporation:

1. That Tova White be appointed as a Director of Oshawa PUC Networks Inc. commencing on November 1, 2025 for a term of three (3) years;
2. That Charles Mongeon be appointed as a Director of Oshawa PUC Networks Inc. commencing on November 1, 2025 for a term of three (3) years;
3. That Paul Kwasnik be appointed as a Director of Oshawa PUC Networks Inc. commencing on November 1, 2025 for a term of two (2) years; and,
4. That Mika Unterman be appointed as a Director of Oshawa PUC Networks Inc. commencing on November 1, 2025 for a term of two (2) years.

**CNCL-25-66 - Emily Noel Submitting Correspondence in support of Item CO-25-45 being the Request to Amend the Boulevard Bylaw (All Wards)**

That Correspondence CNCL-25-66 from Emily Noel submitting correspondence concerning the request to amend the Boulevard Bylaw be referred to Item CO-25-45.

**CNCL-25-67 - Jonathan Kozma Submitting Correspondence concerning Item CO-25-45 being the Request to Amend the Boulevard Bylaw (All Wards)**

That Correspondence CNCL-25-67 from Jonathan Kozma submitting correspondence concerning the request to amend the Boulevard Bylaw be referred to Item CO-25-45.

**CNCL-25-68 - Emily Noel Submitting Correspondence in support of Item SF-25-40 being a Request to Amend the By-law Enforcement Policy (All Wards)**

That Correspondence CNCL-25-68 from Emily Noel submitting correspondence in support of the request to amend the By-law Enforcement Policy be referred to Item SF-25-40.

**Standing Committee Reports**

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

**CO-25-36 - Community and Operations Services Committee Outstanding Item Status Report - Third Quarter 2025 (All Wards)**

1. Whereas at its meeting of April 28, 2025, Council directed staff to collaborate with Friends of Second Marsh to draft an agreement outlining the roles and responsibilities for the construction and maintenance of a new observation deck at McLaughlin Bay Wildlife Reserve at no cost to the City, that it adheres to City standards, complies with all relevant permits and legislation and aligns with the City’s Sponsorship, Advertising

and Donations Policy; and,Whereas staff have been working collaboratively with Friends of Second Marsh in discussing and negotiating the terms of an agreement outlining the roles and responsibilities for the construction and maintenance of a new observation deck at McLaughlin Bay Wildlife Reserve in accordance with City standards and previously established agreements; and,Whereas due to the technical requirements involved in the proposed agreement and the obligations to comply with City standards through formalized technical reports, and detailed design, Friends of Second Marsh has articulated its intent to complete the detail design package by Summer 2026 and thus delaying the finalization of the proposed agreement;Therefore, be it resolved that the Expected Response date for a report back related to Community and Operations Services Committee's Outstanding Items Status Report - Item 10 - Friends of Second Marsh Request for an Observation Deck at Oshawa Second Marsh be changed to the First Quarter 2026 as collaboration efforts are still ongoing; and,

2. That the remainder of Report CO-25-36 dated September 10, 2025, being the Community and Operations Services Committee Outstanding Items Status Report for the Third Quarter of 2025, be received for information.

**CO-25-37 - Bike Lane on Mary Street and Cycling Facility North of Taunton Road East (Wards 2 and 4)**

That in accordance with Report CO-25-37 dated September 10, 2025 concerning a Bike Lane on Mary Street and Cycling Facility North of Taunton Road East, the following be implemented:

1. The existing Bike Route and the west side of Mary Street North between Beatrice Street East and Taunton Road East be changed to a Bike Lane with No Stopping Anytime restrictions; and,
2. A Bike Route and white edge line pavement markings be implemented on both sides of the street on:

- Mary Street North between Taunton Road East and Ormond Drive; and,
- Ormond Drive between Mary Street North and Glovers Road; and,
- Glovers Road between Ormond Drive and Simcoe Street North.

**CO-25-39 - Improvements to the Summer Playground Program (All Wards)**

That based on Report CO-25-39, dated September 10, 2025, concerning Improvements to the Summer Playground Program:

1. That each participant be required to complete a program registration form; and,
2. That staff transition to a vehicle service delivery model that will visit eight (8) different park locations a week, resulting in twenty-three (23) park locations visited over the summer for two (2) hours in either the morning or afternoon.

**CO-25-41- Biltmore Theatre Corp. Request for Two (2) On-Street Parking Permits (Ward 4)**

Whereas at its meeting of October 25, 2021, through Item CS-21-107, City Council authorized staff to enter into a one (1) year licence agreement with Biltmore Theatre Corp. (located at 39 King street

East) for two (2) on-street parking spaces on the west side of Albert Street, west of King Street East, with the option to renew for an additional one (1) year upon giving to the City three (3) months' written notice; and,

Whereas in accordance with CNCL-24-72 dated June 24, 2024, City Council approved the renewal of the licence agreement for an additional (1) year term commencing July 1, 2024 and ending on June 30, 2025, with the option to renew for up to three (3) additional (1) year terms upon giving to the City three (3) months' written notice prior to the end of the term; and,

Whereas written notice to extend the licence agreement was not received from the Biltmore Theatre Corp. until June 11, 2025, effectively ending the current licence agreement; and,

Whereas on July 22, 2025, correspondence was received from Biltmore Theatre Corp. requesting to enter into a new licence agreement for two (2) on-street parking spaces on Albert Street; and,

Whereas two (2) on-street parking permits would generate approximately $146 per month; and,

Whereas licencing two (2) on-street parking spaces will increase the forecasted long-term utilization percentage for on-street parking as reported in Report CO-24-60 dated December 4, 2024, from 48% to 49%;

Therefore, be it resolved that based on Item CO-25-41 dated September 15, 2025:

1. That the request from the Biltmore Theatre Corp. dated July 22, 2025 to enter into a licence agreement for two (2) on-street parking spaces on the west side of Albert Street, west of King Street East, be approved, increasing the forecasted 2034 utilization of 48% of the 85% critical threshold to 49% of the threshold; and,
2. That the City of Oshawa enter into an agreement with Biltmore Theatre Corp. for two (2) parking spaces in the City's On-Street Parking System for the term of the agreement at the monthly rate applicable for the spaces in accordance with Fees and Charges By-law 109-2024, as amended; and,
3. That the term of the licence agreement be for a period of one (1) year, with an option to extend for up to four (4) one (1) year terms; and,
4. That the Commissioner, Community and Operations Services Department, be authorized to execute the licence agreement 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-25-42 - Privacy Breach - Recreation Services (All Wards)**

That based on Report CO-25-42 dated September 10, 2025 concerning a privacy breach in the Recreation Services Branch, the Privacy Response Policy and Procedure be amended to change future privacy breach reporting to an Information Report.

**CO-25-44 Invado Volleyball (Zubair Shaikh and Hannah Amos) Submitting Request for New Beach Volleyball Site (All Wards)**

That Correspondence CO-25-44 from Invado Volleyball concerning a request for new beach volleyball site be referred to staff.

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

**CF-25-43 - Financial Position as of June 30, 2025 (All Wards)**

That Report CF-25-43 dated September 3, 2025 concerning the financial position as of June 20, 2025 be received for information.

**CF-25-45 - Customer Service Strategy 2025-2029 - Putting Customers First: Oshawa's Strategic Approach to Exceptional Service (All Wards)**

1. That based on Report CF-25-45, dated September 3, 2025, the Customer Service Strategy "Putting Customers First: Oshawa's Strategic Approach to Exceptional Customer Service", as outlined in Attachment 1 to said Report be approved; and,
2. That any future operating and capital budget considerations requiring Council approval, be presented as part of any future budget submissions as part of the City's regular budget planning process or separate reports as appropriate; and,
3. That the two Notices of Motion as outlined in CORP-21-65 and SF-24-02 be received for information as they have been addressed in this Report.

**CF-25-46 - Corporate and Finance Services Committee Outstanding Item Status Report - Third Quarter 2025 (All Wards)**

That Report CF-25-46 dated September 3, 2025, being the Corporate and Finance Services Committee Outstanding Items Status Report for the Third Quarter of 2025, be received for information.

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

**ED-25-87 - Economic and Development Services Committee Outstanding Items List Status Report - Third Quarter 2024 (All Wards)**

That based on Report ED-25-87 dated September 3, 2025, being the Economic and Development Services Committee Outstanding Items List Status Report - Third Quarter be received for information.

**ED-25-88 - Request by Medallion Developments Inc. to Enter into an Agreement related to Funding under the Regional Revitalization Program, 135 Bruce Street (Ward 4)**

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

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

Whereas, on April 26, 2024, the Mayor and Chair of the Economic and Development Services Committee submitted a letter to the Region of Durham to request support for the Project under the Regional Revitalization Program (the "R.R.P."); and, Whereas, Regional Council considered Report #2024-COW-32 dated June 12, 2024 and approved, subject to conditions, Regional financial assistance under the R.R.P. in the amount of up to $3,900,000, or the amount of assistance provided by the City, whichever is the lesser amount (the "Funds"); and,

Whereas, the City entered into an R.R.P. agreement with the Region dated October 22, 2024 (the "R.R.P. Agreement") to ensure that certain conditions are met and to outline the schedule in which the Funds are to be transferred from the Region to the City and subsequently transferred from the City to Medallion; and,

Whereas, the R.R.P. Agreement is strictly between the City and the Region and Medallion is not a party to the R.R.P. Agreement; and,

Whereas, the Agreement between Medallion and the City does not specifically mention the Funds, nor does it mention the schedule in which the Funds are to be transferred from the Region to the City and subsequently transferred from the City to Medallion; and,

Whereas, through email correspondence dated July 25, 2025, Medallion has advised City staff that their financial lenders require them to provide an executed agreement between the City and Medallion that confirms that the City will transfer the Funds received from the Region to Medallion during specific stages of the Project;

Therefore, be it resolved that based on Item ED-25-88 dated September 8, 2025 concerning funding under the Regional Revitalization Program at 135 Bruce Street, the Commissioner, Economic and Development Services Department be authorized to enter into an appropriate agreement with Medallion, in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor to acknowledge that any Regional financial assistance transferred to the City by the Region for the Project will be subsequently transferred by the City to Medallion during certain construction milestone stages of the Project in accordance with the Region's Regional Revitalization Program guideline, as follows:

- Stage 1 – Full building permit issued to Medallion (50% of the Funds); and
- Stage 2 – Structural framing inspection (40% of the Funds); and,
- Stage 3 – Occupancy permit received from the area municipal building authority or passed preoccupancy inspection of those municipalities which do not issue an occupancy permit (10% of the Funds).

**ED-25- 89 - Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, KLM Planning Partners Inc. on behalf of 1619321 Ontario Limited, 1251 Taunton Road East (Ward 3)**

1. That, pursuant to Report ED-25-89 dated September 3, 2025, the application submitted by KLM Planning Partners Inc. on behalf of 1619321 Ontario Limited to amend the Oshawa Official Plan and the Pinecrest Part II Plan (File: OPA-2024-05) to permit a 10-storey, 74-unit apartment building on the lands municipally known as 1251 Taunton Road 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.

2. That, pursuant to Report ED-25-89 dated September 3, 2025, the application submitted by KLM Planning Partners Inc. on behalf of 1619321 Ontario Limited to amend Zoning By-law 60-94 (File Z-2024-07) to permit a 10-storey, 74-unit apartment building on the lands municipally known as 1251 Taunton Road 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.
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law amendment proposed in Report ED-24-121 dated October 30, 2024 presented at the public meeting of November 4, 2024 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

**ED-25-90 - Process for Extending Timelines under Various Sections of the Ontario Heritage Act (All Wards)**

That, based on Report ED-25-90 dated September 3, 2025, Economic and Development Services staff be authorized to advance amendments to the Delegation of Authority By-law 29-2009, as amended, to delegate to the Commissioner, Economic and Development Services Department and the Director, Planning Services, and/or their designate(s), to enter into agreements with property owners to waive and/or extend various timelines associated with Sections 29(1.2), 29(8), 33(6), 34(4.2), and 42(4) of the Ontario Heritage Act, as generally outlined in Section 4.3 of said Report.

**ED-25-93 - Delegated Authority for Special Event Related Contracts and Short-Term Occupancy of Space (All Wards)**

Whereas, the City of Oshawa's Delegation of Authority By-law 29-2009, as amended, delegates certain powers and duties to City staff pursuant to Section 23.1 of the Municipal Act, 2001, S.O. 2001, c. 25; and,

Whereas, on November 15, 2022, Council approved CNCL-22-69 resulting in the relocation of Events and Community Engagement and Culture Development (now jointly the Events and Culture division) to the Business and Economic Development Services Branch within the Economic and Development Services Department; and,

Whereas, subsequent staff changes have necessitated clarification of items 8 and 29 within the Delegation of Authority By-law 29-2009 Schedule "A" to ensure staff within the Events and Culture division can efficiently carry out their responsibilities;

Therefore be it resolved that pursuant to Item ED-25-93 and dated September 8, 2025:

1. That Schedule "A" Item 8 of the City's Delegation of Authority By-Law 29-2009, as amended, be further amended to include the "Senior Manager, Special Events and Culture" and "Supervisor, Cultural Development" as delegates; and,
2. That Schedule "A" Item 29 of the City's Delegation of Authority By-Law 29-2009, as amended, be further amended to include the "Senior Manager, Special Events and Culture" as delegate, and to specify the "Supervisor, Cultural Development" and "Supervisor, Events and Community Engagement" as delegates.

**ED-25-94 - Update on Stormwater Management Study for the Central Oshawa Protected Major Transit Station Area and Thornton's Corners Protected Major Transit Station Area (Wards 4 and 5)**

Whereas on June 23, 2025, City Council considered Report ED-25-76 dated May 28, 2025, which contained City staff's recommended City-initiated amendments to Zoning By-law 60-94, as amended ("Zoning By-law"), to implement the following two (2) Protected Major Transit Station Areas ("P.M.T.S.A.s"):

- The "Central Oshawa P.M.T.S.A.", surrounding the planned Central Oshawa GO Station; and,
- The "Thornton's Corners P.M.T.S.A.", surrounding the planned Thornton's Corners GO Station; and,

Whereas these P.M.T.S.A.s are intended to serve as strategic growth areas surrounding the planned Central Oshawa GO Station and the planned Thornton's Corners GO Station, which comprise two of the four new stations proposed to be constructed along Metrolinx's Oshawa-to-Bowmanville GO Train Extension; and,

Whereas following their consideration of Report ED-25-76 dated May 28, 2025, Council adopted the following as part of a multi-part recommendation:

> That pursuant to Report ED-25-76 dated May 28, 2025, Council endorse the draft Terms of Reference for a Stormwater Management Study for the Central Oshawa Protected Major Transit Station Area and Thornton's Corners Protected Major Transit Station Area, as generally set out in Attachment 6 to this Report, for the purpose of retaining a qualified professional consultant through the regular procurement process to undertake such a Study"; and,

Whereas on June 23, 2025, after considering Report ED-25-76, City Council passed By-law 75-2025, being a by-law to enact City-initiated amendments to Zoning By-law 60-94 to implement P.M.T.S.A.s; and,

Whereas on June 26, 2025, City staff issued Notice of the Passing of By-law 75-2025 in accordance with the requirements of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Planning Act"), and the City's Public Notice Policy; and,

Whereas on July 16, 2025, the City received one (1) appeal to the Notice of the Passing of a By-law from Ira Kagan of Kagan Shastri DeMelo Winer Park LLP, on behalf of the owners of 555 Simcoe Street South, within the 20-day legislated appeal period under Section 34(19) of the Planning Act, which period expired on July 16, 2025; and,

Whereas one of the issues highlighted within the subject appeal is a concern with respect to the timing to complete the above-noted Stormwater Management Study for the Central Oshawa P.M.T.S.A. and Thornton's Corners P.M.T.S.A., which pursuant to Subsection 4.5.3 of Report ED-25-76, is anticipated to take approximately six to nine (6 to 9) months to complete; and,

Whereas pursuant to Subsection 4.5.3 of Report ED-25-76, Council directed staff to issue a Request for Proposals for qualified consultants to complete the above-noted Stormwater Management Study, which was issued on August 1, 2025 and closes on September 12, 2025; and, Whereas pursuant to Subsection 4.5.3 of Report ED-25-76, Council directed that once a recommended consulting team has been selected, that staff report back to the appropriate Standing Committee, and Council, to seek approval of the recommended proponent; and,

Whereas based upon a combination of the Committee and Council meeting schedule (i.e. the summer recess) as well as an extended bidding window necessitated by efforts to obtain bids during the summer months, the commencement of the six to nine (6 to 9) month timeline noted above is currently projected to be six (6) weeks later than an alternative commencement date that could be achieved by instead delegating to staff authority to award the project; and,

Whereas an earlier commencement date would assist in demonstrating the City's commitment to getting the above-noted Stormwater Management Study underway as expeditiously as possible, particularly in consideration of the fact that the above-noted appeal is based in part on a concern with respect to the timing to complete the study; and,

Whereas to allow a consulting team to be awarded the project six (6) weeks earlier than currently projected, staff are recommending that the requirement to report back to seek approval of the recommended proponent be waived, and the Manager, Procurement, or their designate, be delegated authority to award the project, subject to the approval of the Commissioner, Economic and Development Services Department, or their designate; and,

Whereas pursuant to Section 5.0 of Report ED-25-76, the Stormwater Management Study will be funded using Planning Services' Professional and Technical account for the work undertaken in 2025;

Therefore that based on Item ED-25-94 dated September 8, 2025, the Manager, Procurement, or their designate, be authorized to award a contract for R.F.P. C2025-076 Stormwater Management Study to the highest ranked proposal as determined through staff's consensus evaluation process, subject to the approval of the Commissioner, Economic and Development Services Department, or their designate.

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

**SF-25-39 - Correspondence from Sarah Jeynes Requesting an Occupancy Limit By-law for Residential Properties**

That Correspondence SF-25-39 from Sarah Jeynes be referred to staff to investigate a new By-law concerning occupancy limits on residential dwelling units.

**SF-25-40 - Correspondence from Emily Noel Requesting an Amendment to the By-law Enforcement Policy**

That Correspondence SF-25-40 from Emily Noel requesting an amendment to the By-law Enforcement Policy be referred to staff.

**SF-25-41 - Fire Prevention Week**

That Report SF-25-41, dated September 10, 2025 concerning Fire Prevention Week, be received for information.

**SF-25-43 - Safety and Facilities Services Committee Outstanding Items List Status Report - Third Quarter 2025 (All Wards)**

That Report SF-25-43 dated September 15, 2025 being the Safety and Facilities Services Committee Outstanding Items Status Report for the Third Quarter of 2025 be received for information.

**SF-25-44 - Jeff Wells Requesting a Review of By-laws related to Backyard Fire Pits**

That Correspondence SF-25-44 from Jeff Wells requesting a review of by-laws related to back yard fire pits be received for information.

**Other Staff Reports and Motions**

**CNCL-25-59 - Recommended Candidates for Municipal Appointed Hamilton-Oshawa Port Authority Board of Directors (All Wards)**

1. That, based on Report CNCL-25-59 dated September 24, 2025, City Council endorse the Hamilton-Oshawa Port Authority's recommended candidates, in order of preference, as outlined in Confidential Attachment 3 of said Report, for the municipally appointed director to the Hamilton-Oshawa Port Authority Board of Directors; and,
2. That, a copy of Council's decision on the matter of the municipal appointment to the Hamilton-Oshawa Port Authority Board of Directors be forwarded to the Hamilton-Oshawa Port Authority, the City of Hamilton and the City of Burlington.

**By-Laws**

**102-2025 - A By-law to amend the Business Licensing By-law 122-2024**

(Implements direction of June 23, 2025, through Item SF-25-35 of the Twenty-sixth Report of the Safety and Facilities Services Committee to extend the benefits of municipal licensing to food-related operations, which distribute complimentary food (e.g. promotional events, etc.) ("Complimentary Food Premises"), for the purposes of ensuring common health, safety and consumer protection standards for patrons and the general public.)

**103-2025 - A By-law to amend the Vacant Building and Land Registry By-Law 15-2024**

(Implements direction of June 23, 2025 through Item CNCL-25-36 to refine the scope of the By-law by no longer requiring the registration of Vacant Land; and, by amending or deleting certain words and phrases.)

**104-2025 - A By-law to amend Fees and Charges By-law 109-2024, as amended**

(Implements direction of September 29, 2025 through Item CF-25-44 of the Thirty-first Report of the Corporate and Finance Services Committee to further amend the Fees and Charges By-law 109-2024, as amended, by replacing certain Schedules.)

**106-2025 - A By-law to adopt Amendment 234 to the City of Oshawa Official Plan**

(Implements direction of September 29, 2025 through Item ED-25-89 of the Fifty-third Report of the Economic and Development Services Committee to adopt Amendment 234 to the City of Oshawa Official Plan and Pinecrest Part II Plan to add a site specific policy to permit a maximum residential density of 303 units per hectare on lands located at 1251 Taunton Road East; and, amend Pinecrest

Land Use and Road Plan, of the Pinecrest Part II Plan by redesignating the lands located at 1251 Taunton Road East from Medium Density II Residential to High Density I Residential and add a site specific policy to permit a maximum residential density of 303 units per hectare.)

**107-2025 - A By-law to Amend Zoning By-law 60-94, as amended**

(Implements direction of September 29, 2025 through Item ED-25-89 of the Fifty-third Report of the Economic and Development Services Committee to change the zoning for the lands located at 1251 Taunton Road East from R1-A to R6-D(10) “h-108” to permit the development of a 74 unit apartment building subject to special zoning regulations related to increased density, reduced yard depths, reduced parking, increased lot coverage and to permit limited tandem parking.)

**108-2025 - A By-law to further amend the City's Delegation By-law 29-2009, as amended**

(Implements direction of September 29, 2025 through item ED-25-90 of the Fifty-third Report of the Economic and Development Services Committee to amend the Delegation By-law 29-2009, as amended, to delegate to the Commissioner, Economic and Development Services Department and the Director, Planning Services, and/or their designate(s), to enter into agreements with property owners to waive and/or extend various timelines associated with Sections 29(1.2), 29(8), 33(6), 34(4.2), and 42(4) of the Ontario Heritage Act.)

**109-2025 - A By-law to further amend the City’s Delegation By-law 29-2009, as amended**

(Implements direction of September 29, 2025 through Item ED-25-93 of the Fifty-third Report of the Economic and Development Services Committee to amend the Delegation By-law 29-2009, as amended in Item 8, to include the “Senior Manager, Special Events and Culture” and “Supervisor, Cultural Development” as delegates; and, in Item 29 to include the “Senior Manager, Special Events and Culture” as delegate, and to specify the “Supervisor, Cultural Development” and “Supervisor, Events and Community Engagement” as delegates.)

**Public Discussion Agenda**

**Matters Excluded from Consent Agenda**

**CO-25-35 Various Residents Submitting Comments Concerning a Pedestrian Crosswalk Near 394-400 Bloor Street East and Bloor Parkette (Ward 5)**

**Consent Motion:**

That Correspondence CO-25-35 concerning a pedestrian crosswalk near 394-400 Bloor Street East and Bloor Parkette be referred to staff.

The vote to adopt the recommendation contained in Item CO-25-35.

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

<u>Carried (11 to 0)</u>

**CO-25-43 All-Way Stop Request at Albert Street and Lviv Boulevard (Ward 5)**

Consent Motion:

Whereas in accordance with Report CS-21-67 dated June 9, 2021, "All-Way Stop Control Installation Process", the Commissioner, Community and Operations Services Department received a formal request in writing from both Ward 5 Councillors for an all way stop to be installed at the intersection of Albert Street and Lviv Boulevard; and,

Whereas in response to the request, staff advanced a review for an all-way stop at the intersection of Albert Street and Lviv Boulevard, upon which based on a physical review and traffic data collection of the above-noted intersection, staff identified potential operational and safety-related concerns with installing an all-way stop in this location; and,

Whereas in accordance with Report CS-21-67, should staff identify operational safety related concerns during their review, it shall be the recommendation of staff that the implementation of an all-way stop control not proceed, and staff shall report back to Council seeking direction on whether to proceed with the installation,

Therefore that based on Item CS-25-43 dated September 10, 2025 concerning an all way stop request at Albert Street and Lviv Boulevard, an all-way stop control not be installed at the intersection of Albert Street and Lviv Boulevard.

The vote to adopt the recommendation contained in Item CO-25-43.

Affirmative (5): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Lee, and Councillor Marks

Negative (6): Councillor Gray, Councillor Kerr, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Lost (5 to 6)

Moved by Councillor Nicholson
Seconded by Councillor Gray

That an all way stop control be installed at the intersection of Albert Street and Lviv Boulevard

Affirmative (6): Councillor Gray, Councillor Kerr, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

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

Carried (6 to 5)

**CO-25-45 Emily Noel Submitting Request to Amend the Boulevard Bylaw (All Wards)**

Consent Motion:

That Correspondence CO-25-45 from Emily Noel concerning a request to amend the Boulevard Bylaw be referred to staff.

**Amendment**:
Moved by Councillor Giberson
Seconded by Councillor Lee

That the motion be amended to add the following:

“to investigate municipalities with more permissive boulevard garden standard and report back to Community and Operations with options.”

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

Carried (11 to 0)

The vote to adopt the recommendation contained in Item CO-25-45, as amended.

Carried

**CO-25-47 - Installation of Traffic Lights at Wilson Road North and Greenhill Avenue**

That Item CO-25-47 concerning the installation of traffic lights at the corner of Wilson Road North and Greenhill Avenue be referred to the Mayor for consideration in the preparation of the 2026 budget.

**Amendment**:

That the motion be amended to add:

"or a solar powered red flashing light on the existing 4-way stop'" after the words "traffic light".

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

Carried (11 to 0)

The vote to adopt the recommendation contained in Item CO-25-47, as amended.

Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the meeting recess until 2 p.m.

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

Negative (2): Councillor Neal, and Councillor Nicholson

Carried (9 to 2)

The meeting recessed at 1:46 p.m. and reconvened at 2:01 p.m. with all members of Council present in the Chamber except Councillor Neal who was participating electronically.

**CF-25-44 - 2026 Fees and Charges By-law Update (All Wards)**

Consent Motion:

That based on Report CF-25-44 dated September 3, 2025, the changes to Fees and Charges By-law 109-2024, as amended be approved and the necessary by-law as set out in Attachment 1 to said Report be passed.

The vote to adopt the recommendation contained in Item CF-25-44 and pass related By-law 104-2025.

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

Negative (2): Councillor McConkey, and Councillor Neal

Carried (9 to 2)

**CF-25-47 - Statement in City Telephone Greeting (All Wards)**

Consent Motion:

The following item was introduced and lost at the Corporate and Finances Services Committee:

' That the following statement in the City recording be removed:

“Aggressive behaviour, harassment or coarse language may result in the call being ended.” '

The vote to adopt the recommendation contained in Item CF-25-47.

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

Negative (1): Councillor McConkey

Carried (10 to 1)

**ED-25-85 - Correspondence from Ara Saatdjian - Grant request for front entrance replacement at 27-33 Simcoe Street South (Ward 4)**

Consent Motion:

That Correspondence ED-25-85 from Ara Saadjian concerning a request for a front entrance replacement at 27-33 Simcoe Street South be referred to staff for a report.

Moved by Councillor Giberson
Seconded by Councillor Lee

That Item ED-25-85 be deferred until the minimum requisite paperwork in accordance with the program is submitted.

Carried

**ED-25-95 - Proposed General Actions for a Standard Defense Strategy in Support of the City's Position in the Event of an Appeal Filed Under the Ontario Planning Act or the Ontario Heritage Act ( All Wards)**

Consent Motion:

Whereas, various decisions made by municipal approval authorities such as Oshawa City Council, the City of Oshawa Committee of Adjustment, or designated City staff under the Ontario Planning Act, R.S.O. 1990, c.P.13, as amended (the "Planning Act"), can be appealed to the Ontario Land Tribunal (the "O.L.T."), including decisions to approve or not approve official plan amendments, zoning by-law amendments, proposed draft plans of subdivision, applications for site plan approval, minor variances and consents; and,

Whereas various decisions made by municipal approval authorities such as Oshawa City Council under the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (the "Heritage Act"), can also be appealed to the O.L.T., including decisions to list or designate properties in the municipal Register of Properties of Cultural Heritage Value or Interest; and,

Whereas on occasion, such decisions made under the Planning Act or the Heritage Act are the subject of appeals to the O.L.T. filed by parties objecting to the decision; and,

Whereas current Council policy requires that the Economic and Development Services Department prepare a report to the Economic and Development Services Committee when an appeal is filed in accordance with the Planning Act or the Heritage Act against a decision of the City, and,

Whereas as a typical component of such reports, it is staff's general practice to include a recommendation seeking Council's authorization to take appropriate action to support the City's decision, including to attend the O.L.T. hearing; and,

Whereas upon considering such reports, it is Council's general practice to direct staff to attend the O.L.T. in support of the City's decision in the event of an appeal under the Planning Act or the Heritage Act; and,

Whereas in view of the foregoing general practices, it is appropriate that a standard approach be developed for the purposes of implementing a defense strategy to streamline the processing of appeals that are before the O.L.T. and to make efficient use of Council time and staff resources and to be able to respond to O.L.T. matters in a timely manner;

Therefore be it resolved that that based on Item ED-25-95 dated September 8, 2025 concerning Proposed General Actions for a Standard Defense Strategy in Support of the City's Position in the Event of an Appeal Filed Under the Ontario Planning Act or the Ontario Heritage Act, in the event an appeal to the Ontario Land Tribunal (the "O.L.T.") regarding a decision of the City is filed on a matter under the Ontario Planning Act, R.S.O. 1990, c.P.13, as amended (the "Planning Act"), or the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (the "Heritage Act"), the Commissioner, Economic and Development Services Department, and the City Solicitor, or their respective designates, be authorized to implement an appropriate defense strategy in support of the City's decision generally in accordance with the following actions:

1. Continue to fulfill Council's policy requiring the Economic and Development Services Department to report when an appeal is filed under the Planning Act or the Heritage Act against a decision of the City, by including within the appropriate Council Information Package a memorandum advising of the appeal; and,
2. Advise the O.L.T. that Oshawa City Council maintains the City's position with respect its decision regarding the matter at hand; and
3. Seek party status at the O.L.T. on behalf of the City; and,
4. Take appropriate action, as deemed necessary at the discretion of the Commissioner, Economic and Development Services Department, or their designates, in consultation with the City Solicitor, to support the City's decision, including to attend the O.L.T. hearing; and,
5. Consent to an offer, if one is made, by the appellant (or the appellant's counsel) to enter into mediation, to be mediated by the O.L.T., regarding the appellant's appeal of the City's decision, as a means of potentially resolving the appeal without the need for an extended hearing, should the Commissioner, Economic and Development Services Department, or their designates, in consultation with the City Solicitor, deem it appropriate to give such consent; and,
6. Participate in said mediation and report back to the Economic and Development Services Committee and Council on the results of that mediation, as appropriate; and,
7. Select, at the discretion of the Commissioner, Economic and Development Services Department, or their designates, an appropriate senior staff member of the Economic and Development Services Department to serve as the delegated City authority to represent the City in mediation, as required pursuant to Rule 18.7 of the O.L.T. Rules of Practice and Procedure; and,
8. Engage external counsel and/or a consultant(s) if deemed necessary at the discretion of the Commissioner, Economic and Development Services Department, in consultation with the City Solicitor, or their designates, to prepare for and attend the O.L.T.-led mediation and/or hearing in support of the City's decision, with associated costs to be accommodated through the Corporate Litigation Account; and,
9. Upon the conclusion of the O.L.T. hearing, report back to Council by including within the appropriate Information Package a copy of the O.L.T.'s decision.

The vote to adopt the recommendation contained in Item ED-25-95.

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

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

Absent (1): Councillor Marks

Lost (5 to 5)

Moved by Councillor Nicholson
Seconded by Councillor McConkey

That Item ED-25-95 concerning the Proposed General Actions for a Standard Defense Strategy in Support of the City's Position in the Event of an Appeal Filed Under the Ontario Planning Act or the Ontario Heritage Act, be referred to staff for another approach in November.

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

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

Lost (4 to 7)

Moved by Councillor Chapman
Seconded by Councillor Marimpietri

That Council reconsider its decision regarding Item ED-25-95 concerning the Proposed General Actions for a Standard Defense Strategy in Support of the City's Position in the Event of an Appeal Filed Under the Ontario Planning Act or the Ontario Heritage Act. **(2/3 Required)**

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

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

Carried (8 to 3)

The following recommendation was now before Council:

Whereas, various decisions made by municipal approval authorities such as Oshawa City Council, the City of Oshawa Committee of Adjustment, or designated City staff under the Ontario Planning Act, R.S.O. 1990, c.P.13, as amended (the "Planning Act"), can be appealed to the Ontario Land Tribunal (the "O.L.T."), including decisions to approve or not approve official plan amendments, zoning by-law amendments, proposed draft plans of subdivision, applications for site plan approval, minor variances and consents; and,

Whereas various decisions made by municipal approval authorities such as Oshawa City Council under the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (the "Heritage Act"), can also be appealed to the O.L.T., including decisions to list or designate properties in the municipal Register of Properties of Cultural Heritage Value or Interest; and, Whereas on occasion, such decisions made under the Planning Act or the Heritage Act are the subject of appeals to the O.L.T. filed by parties objecting to the decision; and,

Whereas current Council policy requires that the Economic and Development Services Department prepare a report to the Economic and Development Services Committee when an appeal is filed in accordance with the Planning Act or the Heritage Act against a decision of the City, and,

Whereas as a typical component of such reports, it is staff's general practice to include a recommendation seeking Council's authorization to take appropriate action to support the City's decision, including to attend the O.L.T. hearing; and,

Whereas upon considering such reports, it is Council's general practice to direct staff to attend the O.L.T. in support of the City's decision in the event of an appeal under the Planning Act or the Heritage Act; and,

Whereas in view of the foregoing general practices, it is appropriate that a standard approach be developed for the purposes of implementing a defense strategy to streamline the processing of appeals that are before the O.L.T. and to make efficient use of Council time and staff resources and to be able to respond to O.L.T. matters in a timely manner;

Therefore be it resolved that that based on Item ED-25-95 dated September 8, 2025 concerning Proposed General Actions for a Standard Defense Strategy in Support of the City's Position in the Event of an Appeal Filed Under the Ontario Planning Act or the Ontario Heritage Act, in the event an appeal to the Ontario Land Tribunal (the "O.L.T.") regarding a decision of the City is filed on a matter under the Ontario Planning Act, R.S.O. 1990, c.P.13, as amended (the "Planning Act"), or the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (the "Heritage Act"), the Commissioner, Economic and Development Services Department, and the City Solicitor, or their respective designates, be authorized to implement an appropriate defense strategy in support of the City's decision generally in accordance with the following actions:

1. Continue to fulfill Council's policy requiring the Economic and Development Services Department to report when an appeal is filed under the Planning Act or the Heritage Act against a decision of the City, by including within the appropriate Council Information Package a memorandum advising of the appeal; and,
2. Advise the O.L.T. that Oshawa City Council maintains the City's position with respect its decision regarding the matter at hand; and
3. Seek party status at the O.L.T. on behalf of the City; and,
4. Take appropriate action, as deemed necessary at the discretion of the Commissioner, Economic and Development Services Department, or their designates, in consultation with the City Solicitor, to support the City's decision, including to attend the O.L.T. hearing; and,
5. Consent to an offer, if one is made, by the appellant (or the appellant's counsel) to enter into mediation, to be mediated by the O.L.T., regarding the appellant's appeal of the City's decision, as a means of potentially resolving the appeal without the need for an extended hearing, should the Commissioner, Economic and Development Services Department, or their designates, in consultation with the City Solicitor, deem it appropriate to give such consent; and,

6. Participate in said mediation and report back to the Economic and Development Services Committee and Council on the results of that mediation, as appropriate; and,
7. Select, at the discretion of the Commissioner, Economic and Development Services Department, or their designates, an appropriate senior staff member of the Economic and Development Services Department to serve as the delegated City authority to represent the City in mediation, as required pursuant to Rule 18.7 of the O.L.T. Rules of Practice and Procedure; and,
8. Engage external counsel and/or a consultant(s) if deemed necessary at the discretion of the Commissioner, Economic and Development Services Department, in consultation with the City Solicitor, or their designates, to prepare for and attend the O.L.T.-led mediation and/or hearing in support of the City's decision, with associated costs to be accommodated through the Corporate Litigation Account; and,
9. Upon the conclusion of the O.L.T. hearing, report back to Council by including within the appropriate Information Package a copy of the O.L.T.'s decision.

Moved by Councillor Giberson
Seconded by Councillor McConkey

That Part 1 of the recommendation contained in Item ED-25-95 be amended to strike the words "Information Package" and replace them with the words "the next regularly scheduled Economic and Development Services Committee agenda."

Affirmative (2): Councillor Giberson, and Councillor Neal

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

Lost (2 to 9)

Moved by Councillor Giberson
Seconded by Councillor McConkey

That Part 6 of the recommendation contained in Item ED-25-95 be amended to strike the words "as appropriate" and replace them with the words "for Council to make a final decision on acceptance".

Affirmative (6): Councillor Giberson, Councillor Gray, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (5): Mayor Carter, Councillor Chapman, Councillor Kerr, Councillor Marimpietri, and Councillor Marks

Carried (6 to 5)

Moved by Councillor Giberson
Seconded by Councillor McConkey

**Amendment:**

That Part 9 of the recommendation contained in Item ED-25-95 be amended to strike the words "Information Package" and replace them with the words "the next regularly scheduled Economic and Development Services Committee agenda."

Moved by Councillor Giberson
Seconded by Councillor McConkey

That amendment of Part 9 be withdrawn.

Carried

The vote to adopt the recommendation contained in Item ED-25-95, as amended.

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

Negative (1): Mayor Carter

Carried (10 to 1)

**SF-25-42 - Parks Enhancement Program Update**

Consent Motion:

That Report SF-25-42 dated September 10, 2025 concerning 2024 Parks Enhancement Program be received for information.

The vote to adopt the recommendation contained in Item SF-25-42.

Carried

**SF-25-45 - Naming of Downtown Urban Square**

Consent Motion:

Whereas the new park currently under construction located at Bond Street East and Simcoe Street North is referenced as the “Downtown Urban Square”; and,

Whereas the City has established a Naming and Renaming Policy; and,

Whereas the park is scheduled to open this year.

Therefore, be it resolved that staff be directed to report back to the next Safety and Facilities Committee meeting on October 20, 2025 with naming options for the new Park located at Bond Street East and Simcoe Street North.

The vote to adopt the recommendation contained in SF-25-45, as recommended

Carried

**CNCL-25-64 - Proposed Oshawa FireWolves Founding Partnership (Ward 4)**

Consent Motion:

Whereas on September 9, 2025, the Albany FireWolves, a National Lacrosse League ("N.L.L.") team, announced that they were relocating the team to the Tribute Communities Centre starting with the upcoming 2025/2026 season; and,

Whereas the new name of the team was announced as the Oshawa FireWolves to honour this heritage and embrace the identity of the Indigenous meanings of "Fire" and "Wolf" ("Fire" symbolizing strength, transformation and community, and "Wolf" representing courage, loyalty, and leadership); and,

Whereas lacrosse has a rich history in the Great Lakes region, originating with the Indigenous nations, celebrated by passionate communities and storied franchises like the Whitby Warriors, Brooklin Lacrosse Club, Peterborough Lakers and the Green Gaels Lacrosse Club (formerly the Oshawa Green Gaels); and,

Whereas the Oshawa FireWolves will become the N.L.L.'s seventh Canadian franchise, joining the Calgary Roughnecks, Halifax Thunderbirds, Ottawa Black Bears, Saskatchewan Rush, Toronto Rock, and Vancouver Warriors; and,

Whereas the Oshawa FireWolves are offering the City of Oshawa a five-year Founding Partnership opportunity as outlined in Confidential Attachment 1, in exchange for in-kind support; and,

Whereas in exchange the City of Oshawa will receive benefits such as widespread visibility for Oshawa across Canada and the United States as well as generate local economic benefits; and,

Whereas Confidential Attachment 1 provides a detailed description of the proposed Founding Partnership;

Therefore, be it resolved:

1. That the Chief Administrative Officer and Commissioner, Corporate and Finance Services Department be authorized to execute a Founding Partnership Agreement with the Oshawa FireWolves generally in accordance with the terms and conditions as outlined in Confidential Attachment 1 of this Report CNCL-25-64, together with any and all relevant and supporting documents, and all documents to be in a form and content satisfactory to the Chief Administrative Officer, the Commissioner, Corporate and Finance Services Department and the City Solicitor;
2. That the Commissioner, Economic and Development Services Department be authorized to execute a lease agreement with the Oshawa FireWolves at 1 Mary Street North, and other such terms and conditions as required by the Commissioner, Economic and Development Services Department, together with any and all relevant and supporting documents, and all documents to be in a form and content satisfactory

to the Commissioner, Economic and Development Services Department, the Commissioner, Corporate and Finance Services Department and the City Solicitor.

Moved by Councillor Giberson
Seconded by Councillor Chapman

That Item CNCL-25-64 concerning the Proposed Oshawa FireWolves Founding Partnership be referred to Closed Session.

Carried

**Items Pulled from the Information Package**

None

**Closed Consent Agenda**

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated September 29, 2025 be adopted as recommended except for the following:

Item CO-25-38 from the Thirtieth Report of the Community and Operations Services Committee.

**Correspondence with recommendations**

**Standing Committee Reports**

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

See Matters Excluded from Consent Agenda

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

None

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

**ED-25-91 - Proposed Land Exchange of Certain Lands located near Harmony Road North and Britannia Avenue East (Ward 1)**

1. That based on Closed Report ED-25-91 dated September 3, 2025, certain portions of City-owned lands situated within the northeast quadrant of Harmony Road North and Britannia Avenue East, as identified on Attachments 1 and 2 of said Closed Report, be declared surplus to municipal requirements and that the requirement to declare City-owned properties first as potentially surplus be waived, together with all associated notice requirements in accordance with By-law 178-2022, given the localized nature of the matter; and,
2. That in the event City Council adopts Part 1 of the motion as outlined above and pursuant to Closed Report ED-25-91 dated September 3, 2025, staff be authorized to execute the land disposal strategy and land and easement acquisition strategy as

generally outlined in Section 4.4 of said Closed Report for the subject City-owned and Region-owned lands situated within the northeast quadrant of Harmony Road North and Britannia Avenue East, as identified on Attachments 1 and 2 of said Closed Report; and,

3. That in the event City Council adopts Parts 1 and 2 of the motion as outlined above and pursuant to Closed Report ED-25-91 dated September 3, 2025, the Commissioner, Economic and Development Services Department, or their designate, be authorized to execute any related purchase and sale agreements and easement agreements for the subject City-owned and Region-owned lands situated within the northeast quadrant of Harmony Road North and Britannia Avenue East, as identified on Attachments 1 and 2 of said Closed Report, together with such documents as are required to complete the transaction in the opinion of the City Solicitor, and further that the agreements and other required documents be in a form and content satisfactory to the Commissioner, Economic and Development Services Department, or their designate, and the City Solicitor.

**ED-25-92 - Request by Durham Region to Acquire Certain City-owned Lands near the Intersection of Wentworth Street East and Nelson Street for Road Widening Purposes (Ward 5)**

1. That based on Closed Item ED-25-92 dated September 8, 2025, and given the localized nature of the matter, the requirements to declare City-owned property first as potentially surplus and all notice requirements in accordance with By-law 178-2022 be waived in relation to the subject City-owned lands along Wentworth Street East; and,

2. That the subject City-owned Lands along Wentworth Street East be declared surplus to municipal needs and requirements; and,

3. That the Commissioner, Economic and Development Services Department, or their designate, be authorized to execute an Offer to Purchase Agreement for the sale of the subject City-owned Lands along Wentworth Street East to Durham Region for road improvements, 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**

None

**Other Staff Reports and Motions**

**CNCL-25-58 - Yearly Performance Review Evaluation of the Chief Administrative Officer (All Wards) (All Wards)**

That Item CNCL-25-58 concerning the Performance Review of the Chief Administrative Officer be received for information.

**By-Laws**

**105-2025 - A By-law to further amend the Delegation By-law 29-2009, as amended**

(Implements direction of September 29, 2025 through item CO-25-38 of the Thirtieth Report of the Community and Operations Services Committee to further amend the Delegation By-law 29-2009, as amended to add a new section to authorize the Commissioner, Community and Operations Services, or their designate, to execute licence and/or lease agreements for City facilities or any City owned lands for up to a 5 year term.)

**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)(c) of the Municipal Act consider to consider Items CO-25-38 which concerns the proposed or pending acquisition or disposition of land by the City; and, Item CNCL-25-64 which concerns a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.

Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the meeting recess for 10 minutes.

The meeting recessed at 3:06 p.m. and reconvened at 3:16 p.m. with all members of Council present in the Chamber except Councillor Neal who was absent.

Also in attendance was 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, Community and Environmental Services; the Director, Recreation Services; and the Director, Business and Economic Development Services.

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

Council entered closed session at 3:16 p.m.

Closed meeting discussions took place.

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Council rise from closed session and report.

Carried

Council rose from closed session at 3:27 p.m.

Councillor Neal re-entered the meeting at 3:27 p.m.

**Closed Meeting Report**

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

Members of Council discussed Item CO-25-38 regarding the Proposed Licence Agreement with the Durham Catholic District School Board for the Non-Exclusive use of Parking Spaces at Various City-owned Parks.

Members of Council raised questions concerning Item CO-25-38.

The Community and Operations Services Department responded to questions from Council.

Members of Council discussed Item CNCL-25-64 regarding the Proposed Oshawa FireWolves Founding Partnership.

Members of Council raised questions concerning Item CNCL-25-64.

The Chief Administrative Officer responded to questions from Council.

This concludes the closed meeting summary.

**CO-25-38 - Proposed Licence Agreement with the Durham Catholic District School Board for the Non-Exclusive use of Parking Spaces at Various City-owned Parks (All Wards)**

Councillor Neal declared a conflict on this item. (Councillor Neal declared a conflict of interest on Item CO-25-48 concerning the Proposed Licence Agreement with the Durham Catholic District School Board for the Non-Exclusive use of Parking Spaces at Various City-owned Parks (All Wards) as a member of his family has a contract with the Durham District Separate School Board and did not take part in discussion or voting on the matter. )

**Consent Motion:**

1. That based on Closed Report CO-25-38 dated September 10, 2025 concerning a licence agreement with the Durham Catholic District School Board for the nonexclusive use of parking spaces at various City-owned parks, the Commissioner, Community and Operations Services Department, be authorized to enter into a licence agreement with the Durham Catholic District School Board to permit their non-exclusive use of a limited number of parking spaces at Lake Vista Park, Gulfstream Park, Grand Ridge Park and Coldstream Park and to permit the City’s use of gym space at St. Anne Catholic School and St. Kateri Tekakawitha Catholic School consistent with the terms and conditions as generally set out in Section 4.6 of said Closed Report, and in a form and content satisfactory to the Commissioner, Community and Operations Services Department, the Commissioner, Economic and Development Services Department, and the City Solicitor; and,
2. That the user fees set out in the Fees and Charges By-law 109-2024 associated with the facility rental of the parking lots at Lake Vista Park, Gulfstream Park, Grand Ridge Park and Coldstream Park be waived; and,
3. That the Delegation of Authority By-law be amended to add a new section to authorize the Commissioner, Community and Operations Services, or their designate, to execute

licence and/or lease agreements for City facilities or any City owned lands for up to a 5 year term.

The vote to adopt the recommendation contained in Item CO-25-38 and related By-law 105-2025.

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

Conflict (1): Councillor Neal

Carried (10 to 0)

**CNCL-25-64 - Proposed Oshawa FireWolves Founding Partnership (Ward 4)**

**Consent Motion:**

The vote to adopt the recommendation contained in Item CNCL-25-64.

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 Requiring Council Direction**

None

**Matters Tabled**

**Notices of Motion**

**CNCL-25-62 - Parking Restrictions near Rose Valley Community Park (Ward 2)**

Moved by Councillor Marimpietri
Seconded by Councillor Lee

Whereas Capital Project 50-0043, Rose Valley Community Park is now substantially complete; and,

Whereas the Grand Opening of the new Rose Valley Community Park is scheduled for Saturday October 4, 2025; and,

Whereas a soft opening of the new Community Park took place over the weekend of September 20 and 21; and,

Whereas the popularity and public attendance of the new Community Park over the weekend of September 20 and 21 was extraordinary; and,

Whereas correspondence has been received from members of the Deer Valley community highlighting concerns with excessive and illegal parking within the catchment area West of Thornton Road North, North of Rossland Road West, and South of Dryden Boulevard; and, Whereas correspondence has also been received from members of the Oshawa community at large highlighting concerns with vehicular traffic and pedestrian movements at the intersection of Thornton Road North and Deer Valley Drive, and the proximity of Durham Region Transit Bus Stops to the new Community Park; and

Whereas the intersection of Thornton Road North and Deer Valley Boulevard is under the jurisdiction of the Durham Region; and,

Whereas City staff are in the process of discussing options with Durham Region staff that may mitigate the concerns noted above;

Therefore, be it resolved that Oshawa City Council approves the following recommendations:

1. ‘No Parking’ restrictions be implemented on the non-pedestrianized side of each street within the catchment area West of Thornton Road North, North of Rossland Road West, and South of Dryden Boulevard, between the hours of 8am and 10pm, Saturday and Sunday; and
2. ‘No Parking Any Time’ restrictions be implemented from the intersection of Thornton Road North to a point approximately 30m west along Deer Valley Boulevard, subject to approval of the Durham Region; and
3. Additional Parks Operations staff be deployed on weekends to assist with parking compliance within the new dedicated 78 spaces at the Rose Valley Community Park parking lot; and
4. City staff continue to work with Durham Region staff on options that may restrict movements in and out of the new Rose Valley Community Park parking lot to limit congestion on Thornton Road North; and
5. City staff continue to work with Durham Region staff on options that may include additional bus stops to be located within a reasonable walking distance of the new Rose Valley Community Park; and
6. Subject to Council approval of the above noted recommendations, staff conduct a public consultation exercise following one full operational season of the new Rose Valley Community Park and report back to the Community and Operations Services Committee with results.

Moved by Councillor Marimpietri
Seconded by Councillor Lee

That Part 1 of the recommendation contained in Item CNCL-25-62 be amended to add the words “East and” before the words “West of Thornton Road North”.

Carried

Moved by Councillor Marimpietri
Seconded by Councillor Lee

That Part 2 of the recommendation contained in Item CNCL-25-62 be amended to strike the words “a point approximately 30m” before the words “along Deer Valley” and add the words “up to Killington” after the words “along Deer Valley”

Carried

Moved by Councillor Marimpietri
Seconded by Councillor Lee

That the following be added as Part 7 of the recommendation contained in Item CNCL-25-62:

“That City Staff continue to investigate options to further facilitate additional parking for Rose Valley Community Park”.

Carried

The vote to adopt the recommendation contained in Item CNCL-25-62, as amended.

Carried

**CNCL-25-63 - Controlled Substances within the City of Oshawa (All Wards)**

Moved by Councillor McConkey
Seconded by Councillor Neal

Whereas the possession of substances regulated under the *Controlled Drugs and Substances Act* (“*CDSA*”) is a criminal offence contrary to s 4(1) of the *CDSA*; and the open use of such substances has become flagrant in parts of the City of Oshawa and Region of Durham, reducing the quality of life for law-abiding residents;

Whereas the open-air use and availability of such substances in areas providing supports to persons attempting to recover from addiction impedes the recovery efforts of those persons and attracts drug dealers associated with greater crimes to areas where users of such substances purchase those substances;

Whereas Part V of the *Public Prosecution Service of Canada Deskbook* (“*PPSC Deskbook*”) provides that prosecutions for possession of a controlled substance contrary to s 4(1) of the *CDSA* will generally be reserved for the most serious manifestations of the offence;

Whereas the *PPSC Deskbook* provides that the most serious manifestations of the abovementioned offence justifying a criminal prosecution response include “simple possession” in areas “committed in the vicinity of places frequented by children or young persons” and “that poses a heightened risk to a community’s efforts to address consumption of controlled substances in accordance with its own community approaches”;

Whereas children and young persons frequent the municipal properties in the City of Oshawa and Region of Durham including parks, sidewalks, and other properties adjacent to such municipal properties;

Whereas the open-air and uninhibited use of drugs in areas providing supports to vulnerable persons, including persons attempting to recover from addiction and lead a life of sobriety, poses a heightened risk to the community's efforts to address consumption of controlled substances;

Whereas open-air controlled substances offences occurring in areas of Oshawa and the Region of Durham parks, sidewalks, and other properties adjacent to such municipal properties would be considered as a most serious manifestation of the offences and be prosecuted; and,

Whereas it appears that such offences occurring in Oshawa and Region of Durham parks, sidewalks, and other properties adjacent to such municipal properties are not being prosecuted;

1. Therefore, the Council of the City of Oshawa respectfully requests that the Minister of Justice and Attorney General of Canada take appropriate action to address this public concern; and,
2. That a copy of this resolution be sent to the Attorney General of Ontario, the Regional Municipality of Durham and it's member municipalities, all Region of Durham area MPs and MPPs, the Durham Regional Police Service and AMO.

Moved by Councillor Giberson
Seconded by Councillor Chapman

That the recommendation contained in Item CNCL-25-63 be amended to add the following as Part 2 and the existing Part 2 be renumbered to Part 3:

"That the Council additionally requests that the provincial Minister of Health, Minister of Municipal Affairs and Housing, and Associate Minister of Mental Health and Addictions coordinate activities and funding to increase mental health, addictions, and supportive housing capacity to reduce the numbers of individuals on the streets struggling with addiction with limited opportunities to find suitable care environments;"

Carried

The vote to adopt the recommendation contained in Item CNCL-25-63 as amended.

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

Negative (1): Councillor Giberson

Carried (10 to 1)

**CNCL-25-69 - Pilot Project Recreation Program for Para-Pickle Ball (All Wards)**

Moved by Councillor McConkey
Seconded by Councillor Kerr

That the City investigate starting a pilot project recreation program for para pickleball in Oshawa. As detailed on the PickleballCanada.org website - https://pickleballcanada.org/play-and-learn/para-pickleball/ - para pickleball is a parasport now being played in different parts of Canada.

"Players in wheelchairs can and are playing in single or doubles as in regular pickleball, or in teams made up of a wheelchair player partnered with a standing player.

A few modifications have been made for the wheelchair athlete. A double bounce is allowed for the wheelchair athlete and the front wheels of the chair can cross the non-volley line."

Carried

**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 4:08 p.m.

Carried

Mayor

City Clerk