



Oshawa City Council Minutes

**January 24, 2022, 9:30 a.m.
Electronic Meeting**

Present:

- Mayor Carter
- Councillor Chapman
- Councillor Giberson
- Councillor Gray
- Councillor Hurst
- Councillor Kerr
- Councillor Marimpietri
- Councillor Marks
- Councillor McConkey
- Councillor Neal
- Councillor Nicholson

Public Meeting

Recognition of Indigenous Lands

The City of Oshawa is situated on treaty land that is steeped in rich indigenous history and is the present day home to many First Nations, Metis and Inuit people. Today, we acknowledge that we are gathering on land covered under the Williams Treaties, and the traditional territories of the Mississaugas of Scugog Island First Nation.

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 of Ron Bremner concerning Item DS-22-15 and By-law 08-2022 related to CORP-22-01 concerning the Coyote Management Plan be added to the agenda; and that Correspondence CNCL-22-10 from Ivan Battye and CNCL-22-11 from Julia McCrea concerning Item DS-22-12 be added to the agenda for the meeting of January 24, 2022 and referred to the relevant report.

Declarations of Pecuniary Interest

Councillor Gray - CORP-22-02 - Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process (All Wards)

Councillor Gray declared a conflict of interest on Item CORP-22-02 as he and his spouse own a Legal Two-Unit dwelling which could be affected by the proposals within the report and did not take part in discussion or voting on the matter.

Mayor Carter - By-law 5-2022 - A By-law to Expropriate all Right, Title Estate and Interest in the Properties located at 31 and 33 to 45 Simcoe Street North

Mayor Carter declared a conflict of interest concerning By-law 5-2022 as he owns property within the subject area and did not take part in discussion or voting on the matter.

Councillor Marimpietri - CNCL-22-02 - Summary of Significant Legal Claims (All Wards)

Councillor Marimpietri declared a conflict of interest on Report CNCL-22-02 as he may be personally impacted.

Presentations

Regional Municipality of Durham, Durham Regional Police Service and Lakeridge Health - Initiatives to address the issues in Downtown Oshawa

Regional Chair John Henry, Chief Administrative Officer, Elaine Baxter-Trahair, and Commissioner Social Services, Stella Danos-Papaconstantinou, Regional Municipality of Durham; and,

Durham Region Chief of Police, Todd Rollauer and Inspector Dave Saliba; and,

Senior Director, Mental Health & Addictions, Beth Brannon, Lakeridge Health Oshawa provided a presentation concerning an update of the Community Safety, Security and Well-Being in Oshawa's Downtown Area Action Plan.

Members of Council questioned Elaine Baxter-Trahair.

Elaine Baxter-Trahair responded to questions from Council.

Members of Council questioned Stella Danos-Papaconstantinou.

Stella Danos-Papaconstantinou responded to questions from Council.

Members of Council questioned Inspector Saliba.

Inspector Saliba responded to questions from Council.

Members of Council questioned Beth Brannon.

Beth Brannon responded to questions from Council.

Moved by Councillor McConkey
Seconded by Councillor Neal

That Council proceed to Committee of the Whole.

Affirmative (7): Councillor Gray, Councillor Hurst, Councillor Kerr, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (4): Mayor Carter, Councillor Chapman, Councillor Giberson, and Councillor Marks

Motion Carried (7 to 4)

Moved by Councillor Marimpietri

That Council rise from the Committee of the Whole.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Hurst, Councillor Kerr, Councillor Marimpietri, and Councillor Marks

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

Motion Carried (7 to 4)

Moved by Councillor Chapman
Seconded by Councillor Kerr

That Council ratify the actions taken in Committee of the Whole.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Marimpietri

That the meeting recess for 15 minutes.

Motion Carried

The meeting recessed at 11:10 a.m. and reconvened at 11:25 a.m. with all members in attendance electronically.

Oshawa Sports Hall of Fame - 2020 Inductees to the Oshawa Sports Hall of Fame

Adrian Vanhemmen, Oshawa Sports Hall of Fame provided a presentation concerning the 2020 inductees to the Oshawa Sports Hall of Fame.

Members of Council questioned Adrian Vanhemmen.

Delegations

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the delegation of Ron Bremner be heard.

Motion Carried

Ron Bremner addressed City Council concerning Item DS-22-05 related to the Notice of Motion regarding Compliance with Site Plan Agreements.

Matters Requiring Direction

None

Items Pulled from Information Package

CNCL-22-04 - Oshawa Power and Utilities Corporation Report of the Chairman to the Stakeholder - Third Quarter Report (2021) (INFO-21-302) (Ward 4)

Moved by Councillor McConkey
Seconded by Councillor Chapman

That CNCL-22-04 being the Oshawa Power and Utilities Corporation Report of the Chairman to the Stakeholder - Third Quarter Report (2021) be received for information.

Motion Carried

CNCL-22-07 - Matthieu Lafrance Submitting Correspondence concerning Item DS-21-183 'Petition for Fencing on the North Side of Charter Crescent' (INFO-21-305) (Ward 5)

Moved by Councillor McConkey
Seconded by Councillor Hurst

That Council reconsider its decision of October 25, 2021 concerning the fencing on the north side of Charter Crescent. **(Requires a 2/3 vote of members present)**

Affirmative (3): Councillor Hurst, Councillor McConkey, and Councillor Neal

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

Motion Lost (3 to 8)

CNCL-22-08 - Region of Durham forwarding a resolution concerning the Durham Region Community Safety and Well-Being Plan (INFO-21-304) (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Neal

That the Region of Durham be requested to provide a breakdown of safety by municipality and ward and information on Health Neighbourhood or lower-tier wards.

Motion Carried

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 January 24, 2022 be adopted as recommended except:

Items CS-22-04, CS-22-03 and related By-laws 6-2022 and 7-2022 of the Thirty Sixth Report of the Community Services Committee; and,

Items CORP-22-02, CORP-22-01 and related By-law 8-2022 of the Thirty-Fifth Report of the Corporate Services Committee; and,

Item DS-22-11 of the Seventy-First Report of the Development Services Committee; and,

Reports CNCL-22-01 and CNCL-22-03; and,

By-law 5-2022.

Motion Carried

Correspondence

CNCL-22-05 - John Lee Submitting Comments concerning Item DS-22-12 regarding the Oshawa Executive Airport Air Quality and Noise Study (Ward 2)

That Correspondence CNCL-22-05 from John Lee submitting comments concerning Item DS-22-12 regarding the Oshawa Executive Airport air quality and noise study be referred to Item DS-22-12.

Adoption of Council Minutes

That the minutes of the City Council meetings held on November 22, November 26, December 1, December 3 and December 13, 2021 be adopted.

Standing Committee Reports

Report of the Community Services Committee

CS-22-01 - Speeding on Farewell Street between Taylor Avenue and Olive Avenue

That based on Correspondence CS-22-01, concerning the Speeding on Farewell Street between Taylor Avenue and Olive Avenue, the current speed of 50km/h on Farewell Street be reduced to 40 km/h.

CS-22-02 - Scouts Canada Requesting to enter into Negotiations for a new Long Term Agreement

That Correspondence CS-22-02, concerning Scouts Canada Requesting to enter into Negotiations for a new Long Term Agreement be referred to staff for a report.

CS-22-05 - Memorials Recognizing Existing Unmarked Graves (Ward 4)

Whereas the City of Oshawa provides social services assisted graves at Union Cemetery without memorials; and,

Whereas the additional cost of memorials may not be within the financial capabilities of the deceased's family; and,

Whereas an unmarked grave and the name of the deceased is duly recorded by the City and accessible on the City's on-line registry; and,

Whereas each deceased person should be recognized as valued regardless of financial circumstances by the smallest offered/permitted memorial at Union Cemetery;

Therefore, that staff report back Committee with recommendations as to the implementation of memorials including recognizing existing unmarked graves and the requisite change to the City's by-law.

Report of the Corporate Services Committee

CORP-22-03 - Use of Corporate Resources for Election Purposes Policy (All Wards)

That the revised "Use of Corporate Resources for Election Purposes Policy" appended as Attachment 1 to Report CORP-22-03, dated January 5, 2022, be approved.

CORP-22-04 - First Report of the Oshawa Animal Care Advisory Committee (All Wards)

That Report CORP-22-04 being the first report of the Oshawa Animal Care Advisory Committee concerning City of Oshawa website revisions be received for information:

1. Wildlife Working Group Report - November 2021 - City of Oshawa Website Revisions (OACAC-21-57)

That based on Report OACAC-21-57 concerning the Wildlife Working Group Report for November 2021, the City of Oshawa website be revised with the following recommendations:

1. That the following page on the City of Oshawa website '<https://www.oshawa.ca/residents/wildlife.asp>' be updated as follows:

- That the link for Government of Ontario, Wildlife and Nature be moved from the category of Orphaned Wildlife to the category of General Wildlife Tips; and,
 - That the following link be added to the Orphaned Wildlife category 'Public List of Authorized Wildlife Rehabilitators
'<https://learningcompass.learnflex.net/Upload/Public/WildlifeRehabilitatorsPublicList.htm>'; and,
 - That all references to the OSPCA Act and OSPCA organization be replaced with references to the new PAWS act and Ontario Animal Protection Call Centre
'<https://www.ontario.ca/page/animal-welfare>'; and,
2. That a short video, approximately two minutes, focusing on why members of the public should not feed or raise wildlife by themselves be uploaded and included on the City of Oshawa website.

Report of the Development Services Committee

DS-22-15 - Ron Bremner Submitting comments regarding Item DS-22-05 being the City Council referral concerning Compliance with Site Plan Agreements (Ward 1)

Whereas, on November 15, 2018, CSH (Wynfield II) Inc. ("Chartwell") submitted an application for site plan approval (File: SPA-2018-32) for a new 201 unit retirement home at 1231 Ormond Drive (the "Subject Site"), and,

Whereas, applications were submitted to the Committee of Adjustment (C. of A.) (Files: A-2019-24 and A-2019-25) for variances to certain regulations in Zoning By-law 60-94 to facilitate Chartwell's proposed development; and,

Whereas, on April 10, 2019, the C. of A. made decisions to approve the above noted minor variance applications; and,

Whereas, the decisions were subsequently appealed to the Local Planning Appeal Tribunal (L.P.A.T.) by an area resident due primarily to concerns about traffic and parking on Ormond Drive; and,

Whereas an L.P.A.T. hearing was held on January 22, 2020, concerning the appeal of the C. of A. decisions; and,

Whereas, in its Order dated February 19, 2020 approving the above-noted variances, the L.P.A.T. did not impose the condition regarding a right-in-only driveway access off of Ritson Road North as requested by City Council; and,

Whereas the L.P.A.T. Order recognized the request for a right-in-only access from Ritson Road North and quoted the Regional staff opinion that parking and speeding issues would not be significantly affected by the proposed access and the L.P.A.T. encouraged the City to explore other options available to address the residents' traffic concerns which would be best addressed by the City through the site plan approval process, and by traffic regulation, enforcement and/or traffic calming on Ormond Drive; and,

Whereas City staff have complied with the directions of City Council on this matter by providing Council's requested conditions to the L.P.A.T. and forwarding the Council direction to the Region requesting the Region to investigate a process that will find a way for the Region to support an entrance/exit along Ritson Road North; and,

Whereas, the Subject Site is located near Kedron Public School, Kedron United Church, Conlin Meadows Park, Ritson Residence at 1658 Ritson Road North and the neighbouring Retirement Home and Nursing Home at 431 and 451 Woodmount Drive; and

Whereas, public safety in the area is of paramount importance;

Therefore be it resolved:

1. That Development Services staff be authorized to retain an independent third party legal expert for an impartial and unbiased legal opinion on the Right in Access issue for Chartwell's Phase III project at 1231 Ormond Drive and professional transportation consultant to undertake a peer review of the traffic study submitted in support of the application for site plan approval for a 201 unit retirement home at 1231 Ormond Drive (File: SPA-2018-32) and to review any submissions made by the residents, the Region of Durham and Chartwell to assess whether a right-in-only access from Ritson Road North is warranted from a pedestrian and vehicular traffic safety perspective and report back to the Development Services Committee on the results of the peer review and that funding for the consultant be provided from an appropriate account to be identified by the Commissioner of Finance Services; and,
2. That Community Services staff be directed to investigate the need for potential traffic calming and safety measures, including the need for a Community Safety Zone, on Ormond Drive, generally between Conlin Meadows Park and Coldstream Drive, and report back to the Community Services Committee; and,
3. That the Region of Durham be requested to review the potential need for a community safety zone on Ritson Road North, south of Conlin Road East, given the existing and proposed land uses in the area.

DS-22-05 - Notice of Motion - Compliance with Site Plan Agreements (All Wards)

That DS-22-05 being a Notice of Motion concerning compliance with Site Plan Agreements be received for information:

Whereas if a site plan agreement delegated to staff fails to comply with a Council approved request, as appears may be occurring with the 1231 Ormond Drive site plan;

Now therefore Council direct the City Solicitor to investigate how Council can ensure its compliance by staff.

DS-22-09 - Eighth Report of the Oshawa Accessibility Advisory Committee (All Wards)

That Oshawa Accessibility Advisory Committee (OAAC) requests City Council investigate the agreement with the Oshawa Central Council of Neighbourhood Associations (OCCNA) for accessible public use of clubhouse washrooms in City-owned parks that are being redeveloped.

DS-22-16 - Sixth Report of Heritage Oshawa (Ward 4)

That Report HTG-21-74 concerning the Final Heritage Research Report for 39 King Street East be endorsed and designated.

DS-22-02 - Proposed New Telecommunications Towers on City Land at 171 Harmony Road South and 1449 Conlin Road East, Fontur International Inc. and Spectra Point Inc. on behalf of Rogers Communications Inc. (Wards 1 and 3)

Whereas, the City's Telecommunication Policy as approved by City Council requires that in the event that Council approves, in principle, a lease of City land for a proposed telecommunication tower then a public meeting shall be held by the Development Services Committee to obtain public input before Council takes any formal position on the proposal; and,

Whereas, the City's Telecommunication Policy indicates that staff will only report on the proposed terms of the lease as appropriate, after Council takes a formal position in support of the proposed tower; and,

Whereas, in November 2021, Correspondence DS-21-225 and DS-21-228 were submitted to the Development Services Committee by Fontur International and Spectra Point, respectively, on behalf of Rogers Communications Inc. (see Confidential Attachments 1 and 2) proposing lease terms for two new telecommunication towers on City-owned lands at 171 Harmony Road South (Donevan Recreation Complex) and 1449 Conlin Road East (Mackie Park), respectively; and,

Whereas, on November 29, 2021, the Development Services Committee referred Correspondence DS-21-225 and DS-21-228 to staff for a report; and,

Whereas, it is important to obtain public input and for the Development Services Committee to hold a public meeting on the proposed telecommunication towers prior to Council taking a formal position on the proposed telecommunication towers; and,

Whereas, City staff will report on lease terms to the Development Services Committee following the holding of the Telecommunication Public Meeting if the proposals are supported by Council; and,

Whereas, holding a public meeting to obtain public input does not imply any form or degree of Council approval;

Therefore, be it resolved that the telecommunication towers proposed by Fontur International and Spectra Point on behalf of Rogers Communications Inc. on City-owned land at 171 Harmony Road South and 1449 Conlin Road East, respectively, be approved in principle for the purpose of holding a public meeting and obtaining public input as required by the City's Telecommunication Policy.

DS-22-08 - Application to Amend Zoning By-law 60-94, 100 Byng Avenue, Fez and Ezmina Virani (Ward 2)

That pursuant to Report DS-22-08 dated January 5, 2022, the application submitted by Fez and Ezmina Virani to amend Zoning By-law 60-94 (File: Z-2021-08) to permit a 3-unit apartment building as an additional permitted use with a site-specific condition to permit the existing site design at 100 Byng Avenue be approved generally in accordance with the comments contained in the above mentioned Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Development Services Department and Legal Services.

DS-22-12 - Oshawa Executive Airport Air Quality and Noise Study (Ward 2)

That, pursuant to Report DS-22-12 dated January 5, 2022, Development Services staff be directed to include the finalized Air Quality and Noise Study reports for Phases 1 and 2 of the study, as generally outlined in Report DS-22-12, as supplemental information in the City's forthcoming submission to Transport Canada under the Advisory Circular AC-302-002 process for the establishment of new noise abatement procedures at the Oshawa Executive Airport.

DS-22-03 - Application for a Sign Variance: Pattison Outdoor Advertising on behalf of Louis and Nancy Destounis regarding Signage at 7, 11 and 15 Taunton Road East (Ward 2)

That, pursuant to Report DS-22-03 dated January 5, 2022, the Commissioner, Development Services Department or Director, Planning Services be authorized to approve the sign variance application submitted by Pattison Outdoor Advertising (File: SV-2021-19) to permit the alteration of the northeast face of the existing non-accessory roof sign at 7, 11 and 15 Taunton Road East to provide a read-o-graph as a display surface.

DS-22-07 - Additional Funding for the Roundabout Design at Conlin Road East and Grandview Street North (Ward 1)

That, pursuant to Report DS-22-07 dated January 5, 2022, that Council approve the additional funding of \$60,000 plus H.S.T. to CIMA+ Canada Inc. to expand the design scope and limits to address road intersection safety issues and pedestrian access along Conlin Road East, east of Grandview Street North to Kurelo Drive.

DS-22-06 - City Comments on Environmental Registry of Ontario Proposal concerning Amending the Darlington Provincial Park Management Plan to allow for the Management of Native Species (ERO 019-4093) (Ward 5)

Whereas, on December 6, 2021, the Ministry of the Environment, Conservation and Parks (the "M.E.C.P.") posted on the Environmental Registry of Ontario ("E.R.O.") website notice (ERO 019-4093) of a proposed amendment to the Darlington Provincial Park (D.P.P.) Management Plan to allow for the management of native species (the "Posting") for comment, with comments due by January 20, 2022; and,

Whereas, staff are seeking authority to submit City comments on the Posting in advance of Council's endorsement of the comments in order to meet the January 20, 2022 deadline; and,

Whereas, staff have provided a copy of the Posting to the Oshawa Environmental Advisory Committee and advised members to submit their individual comments directly to the M.E.C.P. by the January 20, 2022 deadline; and,

Whereas, staff have also provided a copy of the Posting to the Region of Durham, the Central Lake Ontario Conservation Authority (C.L.O.C.A.), General Motors Canada (G.M.C.) and Friends of the Second Marsh (F.S.M.) to ensure they are aware of the Posting; and,

Whereas, the D.P.P. is located within the Municipality of Clarington, just east of the Oshawa-Clarington municipal boundary, is approximately 209 hectares (516.45 ac.) in size and is one of the Province's most intensively used recreation-oriented open spaces; and,

Whereas, the D.P.P. provides shoreline erosion protection to the McLaughlin Bay, which is a provincially significant coastal wetland that is separated from Lake Ontario by a large sandbar; and,

Whereas, the Posting states that in 2019, a colony of 200 Double-crested Cormorants caused minor damage to the vegetation in McLaughlin Bay by removing live branches for nesting materials; and,

Whereas, M.E.C.P. staff are monitoring the area and using pre-nesting control techniques (e.g. noise deterrents) to deter the Double-crested Cormorants from the park; and,

Whereas, if the colony becomes established and continues to grow and nest in the D.P.P., this will threaten the ecological integrity of the wetland and population management measures may be required; and,

Whereas, the Posting includes a proposed amendment to Section 5.3 of the D.P.P. Management Plan to, among other matters, add the following language:

“Native species with the potential to become hyper-abundant (e.g., Double-crested Cormorants) may be managed, as required, to protect the park’s values and ecological integrity.

Population management will consider the broader landscape and best management practices.”

Whereas, a nesting pair of Piping Plover, an endangered species, returned to D.P.P. in May of 2016, following an 80 year absence along the north shore of Lake Ontario and have continued to nest annually since then; and,

Whereas, staff support the continued protection and enhancement of the McLaughlin Bay and McLaughlin Bay Wildlife Reserve; and,

Whereas, it is recommended that the City, the Region of Durham, the Municipality of Clarington, C.L.O.C.A., G.M.C. and F.S.M. be consulted with respect to any potential forthcoming Double-crested Cormorant population management in the McLaughlin Bay wetland within the City of Oshawa; and,

Therefore be it resolved:

1. That the comments contained in Item DS-22-06 be endorsed as the City’s comments with respect to the proposed amendments to the Darlington Provincial Park Management Plan; and,
2. That staff be authorized to forward Item DS-22-06 and any related resolution of the Development Services Committee to the Ministry of the Environment, Conservation and Parks for its consideration and to provide a subsequent follow-up once Council has considered this matter; and,
3. That a copy of Item DS-22-06 and any related resolution of the Development Services Committee and Council be sent to the Ministry of the Environment, Conservation and Parks in response to the Posting, with copies also provided to the Region of Durham, the Municipality of Clarington, the Central Lake Ontario Conservation Authority, Friends of the Second Marsh and General Motors Canada.

DS-22-10 - Recommended Sod Replacement on Carswell, Eastwood and Herbert Avenues, Verdun Road and Oshawa Boulevard South (Wards 2 and 4)

1. That, pursuant to Report DS-22-10 dated January 5, 2022, the Manager of Procurement and Accounts Payable be authorized to issue a tender for the replacement of sod along Carswell

Avenue, Eastwood Avenue North, Herbert Avenue, Verdun Road and Oshawa Boulevard South; and,

2. That the estimated cost of \$100,000 plus H.S.T. for this project be funded from the Operations Reserve.

Report of the Finance Committee

FIN-22-01 - Corporate Payments for the month of November, 2021 (All Wards)

That Report FIN-22-01 concerning the corporate payments for the month of November 2021 be received for information.

FIN-22-02 - Corporate Payments for the month of December (All Wards)

That Report FIN-22-02 concerning the corporate payments for the month of December 2021 be received for information.

FIN-22-03 - First Intake - Waiving of Fees and Financial Assistance (All Wards)

In accordance to Report FIN-22-03 concerning the First Intake – Waiving of Fees and Financial Assistance, dated January 12, 2022:

1. That the following request for waiving of fees be denied as it does not meet the Council approved criteria:
 - MS Society of Canada - \$500
2. That the following request for financial assistance be approved as it meets the Council approved criteria:
 - E-CAMP MENTORing - \$500

FIN-22-05 - Request for Funding to Assist Businesses Affected by the Pandemic (All Wards)

Whereas the pandemic has negatively impacted economies, businesses, workers and communities; and,

Whereas immediate action needs to be taken to assist our small and community-owned businesses that have been hardest hit by the economic impacts of COVID-19. Small businesses are an essential component of Oshawa's dynamic and diverse neighborhoods and their sustainability is a critical pillar of our community; and,

Whereas the Ontario government is providing targeted relief for businesses and people impacted by the current public health measures aimed at blunting the spread of the Omicron variant; and,

Whereas a comprehensive plan to support workers and businesses was announced by the Provincial government for COVID-19 Small Business Relief Grant for small businesses; and,

Whereas, the Provincial government, as part of the plan, is introducing a \$10,000 grant for eligible businesses that are subject to closures under the modified reopening plan and is providing additional electricity-rate relief for businesses, as well as workers and families spending more time at home;

and,

Whereas the province has announced an expanded rebate program for affected businesses however more is needed to bring timely and lasting support to local business in the community, including not only those that have had to close but also those that are subject to occupancy restrictions;

Whereas the Mayor's Economic Recovery Task Force, the Greater Oshawa Chamber of Commerce and the Downtown Oshawa Business Alliance support any effort by the City to advocate for greater financial assistance from upper levels of governments for local businesses;

Therefore be it resolved:

1. That Mayor Carter, on behalf of Council, send a letter to the Prime Minister of Canada and the Premier of Ontario requesting that both the federal and provincial governments continue to offer and expand wage subsidies, programs to cover lost revenues and rent subsidies until a return to full operations can resume, while also considering other immediate and long term measures to assist affected businesses.
2. That a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Ontario Big City Mayors, the Region of Durham, all local Durham Region municipalities, all MP's and MPP's in the Region of Durham.

FIN-22-06 - Request to Extend the Restart Agreement Fund (All Wards)

Whereas the pandemic has negatively impacted economies, businesses, workers and communities. It has also had a major impact on the finances of municipal governments; and,

Whereas the City of Oshawa received and is thankful for the financial assistance provided by the Province of Ontario and Federal Government through the combined phases of the Safe Restart Agreement Fund to respond to COVID-19 related operating pressures; and,

Whereas the City of Oshawa has fully expended this funding through 2020, 2021 and the City's 2022 operating budget to mitigate increased COVID related cost pressures and lost revenue offsets; and,

Whereas additional COVID restrictions were implemented in the Province of Ontario effective as of January 5, 2022 for a period of not less than 21 days which requires the closure of City facilities to adhere to the measures imposed to help limit the spread of the virus; and,

Whereas facility closures will increase the revenue losses to the City incrementally as compared to the revenue losses already anticipated in the City's approved 2022 operating budget projections; and,

Whereas due to the continually changing conditions of the pandemic and emergence of new variants, the City continues to experience additional operating costs such as PPE and staff screeners; and,

Whereas the City has a need to further offset the financial consequences of COVID-19 and would greatly benefit from additional funding support to ensure that municipal services and programs can be maintained in 2022; and,

Now therefore be it resolved:

1. That Mayor Carter, on behalf of City Council, write to the Prime Minister of Canada and the Premier of Ontario requesting an extension of the Restart Agreement Fund to provide additional funding support to municipalities.
2. That a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Ontario Big City Mayors, the Region of Durham, all local municipalities in the Region, and all MP's and MPP's in the Region of Durham.

Report of the Joint Development Services and Community Services Committees

DS-22-22 - Proposed Community Shared Micro-Mobility Pilot Program by Bird Canada Inc. (All Wards)

Whereas, by letter dated November 23, 2021 (see Attachment 1) Bird Canada Inc. has approached the City of Oshawa to implement a community shared micro-mobility program for pedal assist e-bikes and e-scooters as a pilot project for at least two years in areas such as Downtown Oshawa at no cost to the City to determine any demand for such a service; and,

Whereas, in January 2020, the Province of Ontario launched a five year e-scooter pilot program to allow municipalities to decide if e-scooters are suitable for use on municipal roads subject to certain criteria such as passing a municipal by-law to permit them; and,

Whereas, the Region of Durham began the process of consulting with the public on the appropriateness of e-scooters on Regional Roads; and,

Whereas, it is also appropriate for the City to consult with the public and the Advisory Committees who have a vested interest;

Therefore, be it resolved:

1. That, pursuant to DS-22-22 dated January 17, 2022, correspondence from Bird Canada Inc. concerning an e-bike and e-scooter pilot project be referred to staff for a report back to the Joint Committee after the consultation process referenced in Item 2 below is complete; and,
2. That staff be directed to consult with the public and the Oshawa Accessibility Advisory Committee, Oshawa Environmental Advisory Committee, Oshawa Active Transportation Advisory Committee, to receive input on whether the use of e-scooters should be permitted in the City of Oshawa under the Province's 5-year e-scooter pilot program.

Staff Reports/Motions

See Matters Excluded from Consent Agenda.

Public Discussion Agenda

Matters Excluded from Consent Agenda

CS-22-04 - Safe Pet Program (All Wards)

Consent Motion:

That Report CS-22-04 being the sixth report of the Oshawa Animal Care Advisory Committee concerning a safe pet program be endorsed:

1. Safe Pet Program (All Wards) (OACAC-21-58)

That Referral OACAC-21-58 concerning a Safe Pet Program be received for information.

Motion Carried

CS-22-03 - Accessible Parking Standards (All Wards)

Consent Motion:

1. That based on Report CS-22-03, dated January 12, 2022, Traffic and Parking By-law 79-99, as amended, be further amended to implement the revisions outlined in Section 5.8.1 'By-law Amendment 1' of this report; and,
2. That based on Report CS-22-03, dated January 12, 2022, Traffic and Parking By-law 79-99, as amended, be further amended to implement the revisions outlined in Section 5.8.2 'By-law Amendment 2' of this report except that where there are three (3) hour parking limits in place, that a vehicle with an accessibility permit be given a four (4) hour parking limit; and,
3. That a copy of Report CS-22-03, dated January 12, 2022, be sent to the Oshawa Accessibility Advisory Committee.

Motion Carried

CORP-22-02 - Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process (All Wards)

Councillor Gray declared a conflict on this item. (Councillor Gray declared a conflict of interest on Item CORP-22-02 as he and his spouse own a Legal Two-Unit dwelling which could be affected by the proposals within the report and did not take part in discussion or voting on the matter.)

Consent Motion:

1. That Option 1C detailed in Section 5.2 of Report CORP-22-02 "Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process", dated January 4, 2022, for the purpose of undertaking a public and industry consultation process; and,
2. That staff be directed to proceed with holding public and industry consultations as detailed in Section 5.3 of "Residential Rental Housing Licensing: Proposed Expansion Options and

Consultation Process”, dated January 4, 2022, with the selected expansion option(s) and report back to the Corporate Services Committee; and,

3. That staff engage Durham Community Legal Clinic, the Landlord and Tenant Board and other applicable agencies to implement measures to promote relevant tenant-related resources for residents.

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

Motion Carried (10 to 0)

CORP-22-01 - Coyote Response Management Plan (All Wards)

1. That the proposed City of Oshawa Coyote Response Management Plan, as outlined in Attachment 1 to Report CORP-22-01, dated January 4, 2022, be endorsed; and,
2. That the City of Oshawa's Hunting and Firearms By-law 126-97, as amended, be further amended as outlined in Attachment 2, to provide an exemption for licensed hunters or trappers contracted by the City; and,
3. That the Mayor send a letter to the Minister of Northern Development, Mines, Natural Resources and Forestry, with a copy of Reports CORP-21-48 Coyotes in the City of Oshawa, CORP-21-60 Proposed Coyote Response Management Plan as well as this report CORP-22-01 Coyote Response Management Plan and Council resolution, and copy Premier Doug Ford and Durham Regional MPPs requesting that the Ministry:
 - Undertake research and data collection on the coyote population in Oshawa;
 - Conduct activities to reduce coyote/human conflicts in Oshawa; and,
 - Review and update the legislation to make responsibilities and authority clearer; and,
4. That a copy of this report and Council resolution be provided to The Association of Municipalities of Ontario, Durham Region municipalities, Durham Regional Police Service, the Durham District School Board, the Durham Catholic District Board and Coyote Watch Canada.

DS-22-11 - Private Road Widths in Residential Block Developments (All Wards)

Consent Motion:

That Report DS-22-11 dated January 5, 2022 concerning private road widths in residential block developments be received for information.

Moved by Councillor McConkey

Seconded by Councillor Neal

That Report DS-22-11 be referred back to staff for public consultation.

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

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

Motion Lost (5 to 6)

The vote to adopt the recommendation contained in Item DS-22-11.

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

Negative (5): Councillor Gray, Councillor Hurst, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (6 to 5)

CNCL-22-01 - Proposed Cricket Field at Stone Street Park (Ward 5)

Consent Motion:

1. That Council reconsider its decision of May 23, 2006 related to Item OS-06-117 to no longer permit recreational sport usage at Stone Street Park in order to allow a temporary cricket field to be constructed; and,
2. That based on Report CNCL-22-01 dated January 18, 2022, a temporary cricket field with a boundary radius of approximately 40-50m be constructed at Stone Street Park as an interim solution until a permanent regulation cricket field can be developed at a future location; and,
3. That cricket be considered in the next Parks, Recreation, Library and Culture Facility Needs Assessment (P.R.L.C.) review and update.

The vote identified in Part 1 of CNCL-22-01 to reconsider Council's decision of May 23, 2006 related to Item OS-06-117 to no longer permit recreational sport usage at Stone Street Park in order to allow a temporary cricket field to be constructed. **(Requires 2/3 vote of members present)**

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

Motion Carried (11 to 0)

The vote to adopt the recommendation contained in Parts 2 and 3 of Item CNCL-22-01.

Motion Carried

CNCL-22-03 - Regional Municipality of Durham - Request for Resolution related to 311 calls using the City of Oshawa Telephone Exchange (All Wards)

Consent Motion:

Whereas at its meeting of November 22, 2021, Council adopted the following recommendation contained in Report CORP-21-62 regarding a request from the Regional Municipality of Durham (“the Region”) for a resolution related to 311 calls using the City of Oshawa telephone exchange:

1. That Oshawa City Council approve, in principle, to the routing of 311 dialed calls originating from the overlap that exists between the City of Oshawa and the geographic area of the Regional Municipality of Durham with a mutual understanding that where residents within the Region dial 311 erroneously from within these exchanges, they will be “warm transferred” to Service Oshawa and that the Commissioner, Corporate Services Department be authorized to sign an agreement in a form and content satisfactory to the Commissioner, Corporate Services Department and the City Solicitor; and,
2. That in the event that the routing of 311 dialed calls causes confusion to residents and there is an increase in “warm transferred” calls from the Region, the City of Oshawa maintains its right to revoke the routing of 311 dialed calls from Oshawa; and,
3. That prior to any approvals and sign-off on the municipal service levels related to the future 311myDurham model, the Region be requested to provide further information including the financial implications to the City of Oshawa.”; and,

Whereas the Region has advised that Bell Canada has provided feedback that the inclusion of the words “in principle” may be problematic with Durham Region’s 311 implementation and is requesting that it be removed from Oshawa City Council’s direction as it can be interpreted as the City not providing full evidence of authorization;

Therefore be it resolved:

1. That Council reconsider Part 1 of CORP-21-62 in order to delete the words ‘in principle’; and,
2. That Part 1 of CORP-21-62 be amended to delete the words ‘in principle’; and,
3. That staff be directed to send a revised recommendation to the Region with the revised wording.

The vote identified in Part 1 of Report CNCL-22-03 to reconsider Part 1 of CORP-21-62 in order to delete the words ‘in principle’. **(Requires 2/3 vote of members present)**

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

Motion Carried (11 to 0)

That Part 1 of Item CORP-21-62 be amended to delete the words "in principle".

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

Motion Carried (11 to 0)

The vote to adopt Part 1 of Item CORP-21-62, as amended.

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

Motion Carried (11 to 0)

The vote to adopt Part 3 of Item CNCL-22-03.

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

Motion Carried (11 to 0)

Councillor Chapman assumed the Chair.

By-law 5-2022 - A By-law to Expropriate all Right, Title Estate and Interest in the Properties located at 31 and 33 to 45 Simcoe Street North

Mayor Carter declared a conflict on this item. (Mayor Carter declared a conflict of interest concerning By-law 5-2022 as he owns property within the subject area and did not take part in discussion or voting on the matter.)

The vote to adopt By-law 5-2022 concerning Expropriation of all Right, Title Estate and Interest in the Properties located at 31 and 33 to 45 Simcoe Street North.

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

Motion Carried (10 to 0)

Mayor Carter resumed the Chair.

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 January 24, 2022 be adopted as recommended except Item DS-22-14 and Report CNCL-22-02.

Motion Carried

Closed Correspondence

Closed Standing Committee Reports

Report of the Community Services Committee

None

Report of the Corporate Services Committee

None

Report of the Finance Committee

None

Report of the Development Services Committee

(See Matters Excluded from Closed Consent Agenda)

Recess

Moved by Councillor Chapman
Seconded by Councillor McConkey

That the meeting recess for one hour.

Motion Carried

The meeting recessed at 1:05 p.m. and reconvened at 2:25 p.m. with all members of Council in attendance electronically except Councillor Hurst.

Closed Staff Reports/Motions

(See Matters Excluded from Closed Consent Agenda)

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 to consider Item DS-22-14 and Report CNCL-22-02 which are

concerning a litigation or potential litigation, including matters before administrative tribunals, affecting the City.

Motion Carried

The meeting recessed at 2:29 p.m. and reconvened at 2:35 p.m. in closed session with all members of Council in attendance electronically.

Also in attendance were the City Clerk, the Chief Administrative Officer; the Commissioner, Corporate Services Department; the Commissioner, Community Services Department; the Commissioner, Development Services Department; the Commissioner, Finance Services; the Director, Planning Services; the Manager, Development and Urban Design; the Deputy City Clerk; the City Solicitor; the Lawyer; the Executive Director, Human Resource Services; and, the Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session at 2:35 p.m.

Closed meeting discussions took place.

Closed Report

All members of Council and staff participating remotely verbally affirmed they were alone.

Members of Council questioned the City Solicitor concerning Item DS-22-14.

The City Solicitor responded to questions from Council.

Members of Council questioned Adam Kosnick, the Lawyer concerning Item DS-22-14.

The Lawyer responded to questions from Council.

Members of Council questioned the City Solicitor concerning Report CNCL-22-02.

The City Solicitor responded to questions from Council.

This concludes the closed meeting summary.

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Council rise from closed session and report.

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Hurst, Councillor Kerr, Councillor Marks, Councillor McConkey, and Councillor Neal

Negative (2): Councillor Gray, and Councillor Nicholson

Motion Carried (8 to 2)

Council rose from closed session at 3:20 p.m.

DS-22-14 - Matters Related to Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision for Lands South of Renaissance Drive, West of Park Road South (Ward 1)

Consent Motion:

That pursuant to Closed Report DS-22-14 dated January 5, 2022, Development Services staff be authorized to advance the recommendation outlined in Section 5.10 of said Report in regard to appeals filed by SO Developments Inc. for the revised applications to amend Zoning By-law 60-94 and for approval of a draft plan of subdivision, for lands located south of Renaissance Drive, west of Park Road South.

The vote to adopt the recommendation contained in Item DS-22-14.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Hurst, Councillor Kerr, Councillor Marimpietri, and Councillor Marks

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

Motion Carried (7 to 4)

Amendment: Moved by Councillor Nicholson
Seconded by Councillor Gray

That the recommendation contained in Item DS-22-14 be amended to add the words "subject to the further directions from Council" at the end of the bottom.

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

Negative (6): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Hurst, Councillor Kerr, and Councillor Marks

Motion Lost (5 to 6)

CNCL-22-02 - Summary of Significant Legal Claims (All Wards)

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri declared a conflict of interest on Report CNCL-22-02 as he may be personally impacted. ;)

Consent Motion:

That Report CNCL-22-02 dated January 19, 2022, Summary of Significant Legal Claims, be received for information.

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

Motion Carried (10 to 0)

Items Requiring Action

None

By-Laws

The following By-laws were passed:

3-2022 - A By-law to Designate the Property Located at 304 Simcoe Street South and 9 and 17 Quebec Street

(Implements Council Direction of September 27, 2021 through Item DS-21-143 of the Sixty-Third Report of the Development Services Committee to designate 304 Simcoe Street South and 9 and 17 Quebec Street as a property of cultural heritage value or interest.)

4-2022 - A By-law to amend Zoning By-law 60-94, as amended.

(Implements direction of January 24, 2022 through Item DS-22-08 of the Seventy-First Report of the Development Services Committee to change the zoning for lands located at 100 Byng Avenue from R2 (Residential) to R5-A(11) (Residential) to permit the existing building to be used as a 3-unit apartment building with a minimum parking aisle width of 5m and minimum parking space width of 2.9m.)

5-2022 - A By-law to Expropriate all Right, Title and Interest in the Properties Located at 31 and 33 to 45 Simcoe Street North

(Implements Council Direction of November 22, 2021 through Item DS-21-201 of the Sixty-Eighth Report of the Development Services Committee to expropriate all right, title, estate and interest in the properties known municipally as 31 Simcoe Street North, Oshawa, and 33 to 45 Simcoe Street North, Oshawa for the purpose of increasing parkland and greenspace.)

6-2022 - A By-law to Further Amend Traffic By-law 79-99, as amended

(Implements Council Direction of January 24, 2022 through Item CS-22-03 of the Thirty-Sixth Report of the Community Services Committee to further amend Traffic By-law 79-99, as amended to update accessible parking standards.)

7-2022 - A By-law to Further Amend Traffic By-law 79-99, as amended

(Implements Council Direction of January 24, 2022 through Item CS-22-03 of the Thirty Sixth Report of the Community Services Committee to further amend Traffic By-law 79-99, as amended to amend the exemption that allows a vehicle displaying a valid Accessible Person Parking Permit to park on a Highway from 24 hours to 4 hours.)

8-2022 - A By-law to Further Amend Hunting By-law 126-97, as amended

(Implements Council Direction of January 24, 2022 through CORP-22-01 of the Thirty-Fifth Report of the Corporate Services Committee to further amend By-law 126-97 to provide an exemption for a licensed hunter and/or trapper retained by the Corporation of the City of Oshawa pursuant to the Coyote Response Management Plan.)

Matters Tabled

No items were lifted from the table.

Notices of Motion Previously Given

The following notice of motion was referred to City Council on December 13, 2021:

Moved by Councillor McConkey

Seconded by Councillor Neal

Whereas this year the City of Toronto reports on ESG-related opportunities and risks across strategic priorities, sustainable finance and socioeconomic outcomes; and,

Whereas Toronto was the first government in Canada to issue an annual ESG report to reflect its commitment and performance in each of three areas: environment, social well-being and governance,

Now therefore Oshawa Council directs the Corporate Leadership Team to investigate reporting annually on key Environmental, Social and Governance priorities.

Motion Carried

Notices of Motion

The following four notices of motion are submitted by Councillor McConkey:

Whereas the City frequently receives complaints from residents about windrows caused by the snow ploughs, especially on elbow streets, corner lots, courts and cul-de-sacs;

Whereas improvements may be found with staff reviewing the City's snow removal process to consider snow clearing efficiencies and ways to minimize the windrows caused by snow ploughs at the end of residential driveways; and

Whereas other GTA municipalities, such as Richmond Hill and Vaughan have windrow clearing programs not exclusive to seniors, but for windrows on all residential driveways on local roads city-wide;

Therefore staff investigate a city-wide in-house Oshawa windrow clearing program for residential driveways on local roads, and prepare a report that includes

1. results of a public survey that gauges Oshawa residents' level of interest in a city-wide windrow clearing program on local streets; and
2. gives consideration to a phased in approach for possible implementation starting with City courts, elbow streets and cul-de-sacs windrows; and,

That this motion be referred to the Community Services Committee.

And,

Whereas Durham Region publishes a Monthly Built For Zero Report Card;

Whereas the Report Card is part of a national change effort through the Canadian Alliance to End Homelessness (CAEH) to help communities end chronic homelessness;

Whereas the Monthly Report Card contains INFLOW and OUTFLOW for the number of people experiencing homelessness "in our community";

Whereas the data given is terms of a total Region-wide and not for each of the Region's eight municipalities;

Whereas a breakdown of the data for each of the Region's eight municipalities would be beneficial and help fulfill the Region's goal expressed in the Report Card that:

1. "We hope sharing this information will promote transparency and accountability in our homelessness response"; and
2. By taking a close look at the data each month, it can help us • Focus on the facts (what we know), rather than the narrative (what we think)
 - Adjust our services
 - See what needs to be done to end homelessness
 - Improve the lives of people experiencing homelessness

Now therefore the City of Oshawa request the Region of Durham to provide a breakdown of the data in its Monthly Built For Zero Report Card to indicated numbers associated with each of the Region's lower tier municipalities; and,

That this motion be referred to the next City Council meeting.

And;

Whereas 6.2 d) iv) of the Council Procedural By-law states that the Clerk will not place correspondence on an agenda that, in the Clerk's determination, relates to "Matters which are the subject of an Education and Training Session"

Whereas public engagement is part of the democratic process;

Now therefore correspondence related to the subject of an Education and Training Session be placed on an Agenda; and,

That this motion be referred to the next City Council meeting.

And;

Whereas the Region of Durham initiated Vision Zero and the radar cameras in certain locations around the Region;

Whereas the Town of Ajax and the Town of Whitby are investigating entering into similar agreements with radar camera providers;

Now therefore staff investigate the costs for the City of Oshawa to enter into an agreement with radar camera providers and survey Oshawa residents interest in having them installed in hot spots in the City for where speeding is most prevalent; and,

That this motion be referred to the Community Services Committee.

Confirming By-Law

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the confirming By-law be passed.

(9-2022 - A by-law to confirm the City Council meeting of January 24, 2022).

Adjournment

Moved by Councillor Kerr
Seconded by Councillor Chapman

That the meeting adjourn at 3:32 p.m.

Motion Carried

Mayor

City Clerk