



**Oshawa City Council
Minutes**

**March 28, 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

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

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the Delegation of Ken Ruffo and the delegation of Peter Taylor, President, Friends of Second Marsh be added to the agenda, and Correspondence CNCL-22-28 from various residents submitting comments concerning Item CS-22-33 and Correspondence CNCL-22-30 from Jane Clark submitting

comments concerning Item DS-22-71 and Correspondence from Louise Parkes be added to the agenda for the meeting of March 28, 2022 and be referred to the respective item.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That additional time-sensitive correspondence from Raymond Bond concerning an extension of the Road Occupancy Permit for CAMP be added to the agenda for the meeting of March 28, 2022.
(Requires 2/3 vote of members present)

Motion Carried

Moved by Councillor Neal
Seconded by Councillor McConkey

That the rules of procedure be waived to introduce a time sensitive motion concerning speeding in Raglan at this time.**(Requires 2/3 vote of members present)**

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

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

Motion Lost (5 to 6)

Moved by Councillor Neal
Seconded by Councillor McConkey

That the rules of procedure be waived in order to introduce a time sensitive Motion concerning speeding in Columbus at this time. **(Requires 2/3 vote of members present)**

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

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

Motion Lost (4 to 7)

Moved by Councillor McConkey
Seconded by Councillor Neal

That the rules of procedure be waived to introduce a time sensitive motion concerning a Community Safety Zone designation at this time. **(Requires 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)

Declarations of Pecuniary Interest

Councillor Marimpietri - DS-22-62 - Correspondence DS-21-232 concerning the decision of the Ministry of the Environment, Conservation and Parks regarding 1515 Thornton Road North (Wards 1 and 2)

Councillor Marimpietri made a declaration of interest concerning Item DS-22-62 as he has family who own property and live within the subject area and did not take part in discussion or voting on the matter.

Councillor McConkey - DS-22-58 - Notice of Motion - Growth Plan for the Greater Golden Horseshoe (All Wards)

Councillor McConkey made a declaration of interest concerning Item DS-22-58 as she has family who own property and live within the subject area and did not take part in discussion or voting on the matter.

Councillor Chapman - DS-22-64 - 1997 Operating and Option Agreement for the Oshawa Executive Airport (Ward 2)

Council Chapman made a declaration of interest concerning Item DS-22-64 as the matter deals with the South field where the Ontario Regiment Museum is located and he is a member of the Museum and honorary Colonel of the Ontario Regiment and did not take part in discussion or voting on the matter.

Councillor Neal - CNCL-22-21 - Oshawa Senior Citizen Centres Board of Directors - Nomination for the 2022 Senior of the Year Award

Councillor Neal made a declaration of interest concerning Report CNCL-22-21 as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC) and did not take part in discussion or voting on the matter.

Presentations

None

Delegations

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the Delegations of Ken Roberts, Ron Bremner, Bill Forbes, Jeeva Raj, Dave Briggs and Ken Ruffo and Peter Taylor be heard.

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the Delegations of Wesley Anderson and Cindy Naylor and Peter Taylor, Friends of Second Marsh be heard. **(Requires 2/3 vote of members present)**

Motion Carried

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the Delegation of Peter Lawryshyn be deferred to the end of the meeting in order to be heard in closed session.

Motion Carried

Moved by Councillor Kerr
Seconded by Councillor Chapman

That the Agenda be altered to bring forward the delegation of Peter Taylor, President, Friends of Second Marsh. **(Requires 2/3 vote of members present)**

Motion Carried

Peter Taylor, President, Friends of Second Marsh - Correspondence CNCL-22-27 - A request to re-purpose the former General Motors of Canada Headquarters Building

Peter Taylor, President, Friends of Second Marsh addressed City Council regarding Correspondence CNCL-22-27 regarding a request to re-purpose the former General Motors of Canada headquarters Building.

Members of Council questioned Peter Taylor.

Ken Roberts - Item DS-22-51 - Results of Staff Investigation regarding a Water Drainage Issue at 903 Black Cherry Drive (Ward 1)

Ken Roberts addressed City Council concerning Item DS-22-51 regarding the results of staff investigation concerning a water drainage issue at 903 Black Cherry Drive.

Members of Council questioned Ken Roberts.

Wesley Anderson - Item DS-22-51 - Results of Staff Investigation regarding a Water Drainage Issue at 903 Black Cherry Drive (Ward 1)

Wesley Anderson addressed City Council concerning Item DS-22-51 regarding the results of staff investigation concerning a water drainage issue at 903 Black Cherry Drive.

Members of Council questioned Wesley Anderson.

Cindy Naylor - Item DS-22-65 - Results of Legal Opinion and Peer Review of Transportation Matters Related to the Site Plan Approval Application for 1231 Ormond Drive (Ward 1)

Cindy Naylor addressed City Council concerning Item DS-22-65 regarding the results of a legal opinion and peer review of transportation matters related to the Site Plan Approval Application for 1231 Ormond Drive.

Members of Council questioned Cindy Naylor.

Ron Bremner - Item DS-22-65 - Results of Legal Opinion and Peer Review of Transportation Matters Related to the Site Plan Approval Application for 1231 Ormond Drive (Ward 1)

Ron Bremner addressed City Council concerning Item DS-22-65 regarding the results of a legal opinion and peer review of transportation matters related to the Site Plan Approval Application for 1231 Ormond Drive.

Councillor Chapman assumed the Chair.

Members of Council questioned Ron Bremner.

Mayor Carter resumed the Chair.

Bill Forbes - Item DS-22-62 - Correspondence DS-21-232 concerning the decision of the Ministry of the Environment, Conservation and Parks regarding 1515 Thornton Road North (Ward 1 and 2)

Bill Forbes addressed City Council concerning Item DS-22-62 regarding Correspondence DS-21-232 concerning the decision of the Ministry of the Environment, Conservation and Parks regarding 1515 Thornton Road North.

Members of Council questioned Bill Forbes.

Jeeva Raj - Item CS-22-28 - Resolution from the Region of Durham concerning Vision Zero (All Wards)

Jeeva Raj addressed City Council concerning Item CS-22-28 regarding a resolution from the Region of Durham concerning Vision Zero.

Members of Council questioned Jeeva Raj.

Dave Briggs - Item CS-22-28 - Resolution from the Region of Durham concerning Vision Zero (All Wards)

Dave Briggs addressed City Council concerning Item CS-22-28 regarding a resolution from the Region of Durham concerning Vision Zero.

Members of Council questioned Dave Briggs.

Ken Ruffo - DS-22-67 - Proposed Noise Abatement procedures for the Oshawa Executive Airport (Ward 2)

Ken Ruffo, General Manager, Durham Flight addressed City Council concerning Item DS-22-67 regarding the proposed noise abatement procedures for the Oshawa Executive Airport.

Members of Council questioned Ken Ruffo.

Matters Requiring Direction

Councillor Chapman assumed the Chair.

CNCL-22-25 - Lakeridge Health - Response to Resolution from Oshawa City Council - Site Selection Process for a Proposed New Hospital in Durham Region (All Wards)

Moved by Mayor Carter

Seconded by Councillor Marimpietri

1. That the City of Oshawa continue to advocate for the development of a new Regional Hospital in north Oshawa based on the locational attributes of the proposed sites in Oshawa.
2. That the Lakeridge Health Corporation and the Ministry of Health be advised that the City of Oshawa opposes any reduction in the current services provided at Lakeridge Health Oshawa, including emergency services, day surgery and in-house patient surgeries and further requests that those services provided at the proposed new hospital be complementary to the services provided at Lakeridge Health Oshawa and not a replacement for those services.
3. That the Ministry of Health be requested to review the membership of the Board of Directors of the Lakeridge Health Corporation with a view of requiring it to be amended to be more fair, equitable and reflective of the population base of each community served by the Corporation and that the Board have at least 3 members whom are resident in the City of Oshawa.

Amendment: Moved by Councillor Marks

Seconded by Councillor Giberson

That Part 2 be amended to add the following words, 'that any such attempt to remove services will be treated as an act of irreparable harm to the Cities residents and the City may further seek injunctive relief to prevent the removal of the aforementioned services' after the words, 'replacement for those services; and,'; and,

Motion Carried

A request was made to vote on each part separately.

The vote to adopt Part 1 of the recommendation.

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 2 of the recommendation, 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 the recommendation.

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)

Mayor Carter resumed the Chair.

CNCL-22-27 - Friends of Second Marsh - Requesting support to re-purpose the former General Motors of Canada Headquarters Building (Ward 5)

Moved by Councillor Chapman
Seconded by Councillor Marimpietri

That pursuant to CNCL-22-27 the City support, in principle, the proposal by the Friends of the Second Marsh dated March 22, 2022 to repurpose the General Motors of Canada Headquarters building on Colonel Sam Drive into a Great Lakes Centre for education and research provided such support does not imply any form of financial support for the proposal.

Amendment: Moved by Councillor Nicholson
Seconded by Councillor Kerr

That the motion be amended to delete the following words 'provided such support does not imply any form of finance support for the proposal' .

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

Negative (6): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Hurst, Councillor Marimpietri, and Councillor Marks

Motion Lost (5 to 6)

Moved by Councillor Kerr
Seconded by Councillor McConkey

That the motion be amended to add the following as Part 2:

'2. That the City Clerk be directed to send a copy of this resolution to Friends of Second Marsh; General Motors of Canada; Central Lake Ontario Conservation Authority; Ducks Unlimited; Ontario Tech; Trent University Durham; Durham College; John Henry, Regional Chair and CAO, Durham Region; Colin Carrie MP; all Durham MPPs; Minister of Ministry of Northern Development, Mines,

Natural Resources and Forestry; Minister of Ministry of Environment, Conservation and Parks; and Minister of Heritage, Sport, Tourism and Culture Industries for their information'.

Motion Carried

The vote to adopt the motion, as amended.

Amendment:Moved by Councillor Marimpietri
Seconded by Councillor Chapman

That the motion be referred to staff for a report to the Development Services Committee.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Marimpietri, Councillor Marks, and Councillor Neal

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

Motion Carried (7 to 4)

CNCL-22-29 - Raymond Bond - Requesting an extension of the Road Occupancy Permit for CAMP

Moved by Councillor Kerr
Seconded by Councillor Nicholson

That Council reconsider its decision of October 25, 2021 which set the expiry of the permit at the end of the Cold Season, March 31, 2022. **(Requires 2/3 vote of members present)**

Councillor Kerr challenged the Chair's ruling concerning the requirement for a reconsideration vote.

The Mayor's ruling was upheld on the following vote

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

Negative (2): Councillor Kerr, and Councillor McConkey

Motion Carried (9 to 2)

The vote to reconsider Council's decision of October 25, 2021. **(Requires 2/3 vote of members present)**

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

Negative (6): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Hurst, Councillor Marimpietri, and Councillor Marks

Motion Lost (5 to 6)

Moved by Councillor Nicholson
Seconded by Councillor Kerr

That the rules of procedure be waived to introduce a motion concerning a Road Occupancy Permit at this time. **(Requires 2/3 vote of members present)**

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

Negative (6): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Hurst, Councillor Marimpietri, and Councillor Marks

Motion Lost (5 to 6)

Items Pulled from Information Package

CNCL-22-23 - Darlin Boncheck Submitting Correspondence concerning Oshawa Fire Services (INFO-22-59) (All Wards)

Moved by Councillor Nicholson
Seconded by Councillor Neal

That Correspondence CNCL-22-23 submitted by Darlin Boncheck regarding Oshawa Fire Services (INFO-22-59) be referred to the 2023 Budget.

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 March 28, 2022 be adopted as recommended except:

Correspondence CNCL-22-21; and,

Items CS-22-27, CS-22-28, CS-22-32 and CS-22-33 from the Thirty-Eighth Report of the Community Services Committee;

Items CORP-22-12, CORP-22-11, CORP-22-16 and related By-law 29-2022 and CORP-22-15 and related By-law 28-2022 from the Thirty-Seventh Report of the Corporate Services Committee; and,

Items DS-22-56, DS-22-57, DS-22-58, DS-22-54, DS-22-52, DS-22-51, DS-22-62, DS-22-64, DS-22-65 and DS-22-71 from the Seventy-Fifth Report of the Development Services Committee; and,

Items FIN-22-25 and FIN-22-35 from the Fifty-Second Report of the Finance Committee; and,

Report CNCL-22-20.

Correspondence

CNCL-22-22 - Various Residents Submitting Comments concerning Item DS-22-65 (Ward 1)

That Correspondence CNCL-22-22 from various residents submitting comments concerning Item DS-22-65 regarding the results of legal opinion and peer review of transportation matters related to the Site Plan Approval Application for 1231 Ormond Drive be referred to Item DS-22-65.

CNCL-22-26 - Dave Briggs Submitting Comments concerning Item CS-22-28 (All Wards)

That Correspondence CNCL-22-26 from Dave Briggs submitting comments concerning Item CS-22-28 regarding a resolution from the Region of Durham concerning Vision Zero be referred to Item CS-22-28.

Adoption of Council Minutes

That the minutes of the City Council meetings held on February 22 and February 28, 2022 be adopted.

Standing Committee Reports

Report of the Community Services Committee

CS-22-25 - Optional Tree Installation (All Wards)

That based on Report CS-21-133, dated December 1, 2021, concerning Optional Street Tree Installation, that the current operating practices and planting programs remain status quo.

CS-22-22 - Proposal for an Indoor Tennis Facility by Tennis Clubs of Canada (All Wards)

That pursuant to Report CS-22-22, dated March 16, 2022, any consideration of the proposal for an indoor tennis facility by Tennis Clubs of Canada be deferred until such time as the update to the Parks, Recreation, Library and Culture Facilities Needs Assessment is completed.

CS-22-23 - Proposed Update Amendment to the Emergency Management By-law (All Wards)

Whereas By-law 77-2008 (“the Emergency Management By-law”), as amended, sets out the emergency management program for the City of Oshawa (“the City”) pursuant to the Emergency Management and Civil Protection Act; and,

Whereas the Emergency Management By-law needs to be further amended in order to update the designated persons list for both the Municipal Control Group (M.C.G.) and the Community Emergency Management Program Committee (C.E.M.P.C.), as shown in the proposed bylaw forming Attachment 1; and,

Whereas the M.C.G.’s responsibilities include the control of all operations during an emergency, such as but not limited to assessing the short, medium and long-term emergency operating requirements of the City, recommending the declaration, extension and/or the termination of a state of emergency, making policy decisions, setting operational priorities, and assigning resources and issuing instructions to City departments; and,

Whereas the role of the C.E.M.P.C. is to act as a coordinating body to facilitate municipal level coordination and cooperation regarding the emergency management program, such as reviewing and providing policy advice with respect to the state of emergency management in the City, drafting plans, procedures and operational guidelines, coordinating training and exercises, and providing public education; and,

Whereas some of the proposed amendments to the Emergency Management By-law for both the M.C.G. and C.E.M.P.C. are housekeeping amendments due to changes in position titles and responsibilities such as changing City Manager to Chief Administrative Officer (C.A.O.), changing the Director of Public Works to Director of Operations Services, and clarifying that the Emergency Information Officer is the Manager of Corporate Communications; and,

Whereas proposed updates to the M.C.G. include such matters as adding the Fire Chief, the two Deputy Fire Chiefs, the Assistant Deputy Fire Chief and the Commissioner of Finance and deleting the Director of Transportation Services, representatives from Durham Region Transit, Durham Region Police Services, OPUC, Durham Emergency Management Office and Durham Emergency Medical Services since they can be consulted at any time on an as needed basis as required by the C.A.O.; and,

Whereas proposed updates to the C.E.M.P.C. include such matters as adding the Assistant Deputy Fire Chief, the Manager of Corporation Communications, a Lakeridge Health Oshawa representative and a Central Lake Ontario Conservation Representative and deleting and the Director of Property Management Services; and,

Whereas it is appropriate to update the designated persons list for the M.C.G. and C.E.M.P.C.;

Therefore pursuant to Report CS-22-23, the Emergency Management By-law, as amended, be further amended as generally set out in the Proposed By-law in Attachment 1 and such By-law shall be in a form and content acceptable to the Commissioner, Community Services Department, the Fire Chief and Legal Services.

CS-22-24 - Amendment to the Delegation By-law 29-2009 (All Wards)

That pursuant to Report CS-22-24, dated March 16, 2022, the City's Delegation By-law 29-2009 be amended to include the proposed amendments as shown in Section 5.4, Table 1, of Report CS-22-24, in a form that's acceptable to Legal Services, the Commissioner, Community Services Department and Director, Operations Services, which includes:

1. A new line item added under Parks Services to provide delegated authority to the responsible department Commissioner or Director or Manager to provide consent for soil reuse to a source site, in accordance with O. Reg. 406/19, when soil is imported onto City property as part of a City Project; and,
2. Section 62.1, 'Make applications for approvals and permits related to City projects', is amended to include Commissioner, Community Services Department, and Director Operations Services, Manager, Parks Planning and Development, and Manager, Parks and Waste Operations, as Delegated Authority; and,
3. Section 9, 'Approve and execute agreements to permit park access for short-term use and private gate access to parks', is amended to replace the Supervisor, Parks Development

and Technical Services, with the Manager, Parks Planning and Development, as a delegate and to remove the delegation restriction.

CS-22-26 - Community Services Outstanding Items List - First Quarter (All Wards)

That Report CS-22-26, dated March 16, 2022 being the Community Services Committee's Outstanding Items Status Report for the first quarter of 2022 be received for information.

Report of the Corporate Services Committee

CORP-22-13 - Vacancies on Heritage Oshawa (All Wards)

That in accordance with Report CORP-22-13 dated March 2, 2022 concerning the two vacancies on Heritage Oshawa, the applicants listed in Confidential Attachment 1 be appointed to Heritage Oshawa for the terms outlined in Confidential Attachment 1, or until such time as successors are appointed.

CORP-22-14 - Corporate Services Committee Outstanding Items List Status Report – First Quarter 2022 (All Wards)

That Report CORP-22-14, dated March 2, 2022 being the Corporate Services Committee's Outstanding Items Status Report for the first quarter of 2022 be received for information.

Report of the Development Services Committee

DS-22-61 - New Municipal Powers with Respect to Delegation of Planning Act Decisions Pursuant to Schedule 19 to Bill 13, Supporting People and Businesses Act (All Wards)

That, pursuant to Report DS-22-61 dated March 2, 2022, the Development Services Department be authorized to schedule a statutory public meeting under the Planning Act to consider an amendment to the Oshawa Official Plan as outlined in Section 5.3 of said Report concerning the potential delegation of authority to City staff for the passing of by-laws to remove holding symbols.

DS-22-60 - Development Services Committee Outstanding Items List Report - First Quarter (All Wards)

That Report DS-22-60, dated March 1, 2022 being the Development Services Committee's Outstanding Items Status Report for the first quarter of 2022 be received for information.

DS-22-66 - Request for Sign Variance on City-owned Property at Mary Street North (Ward 4)

Whereas, Spectra Venue Management (Spectra) manages the Tribute Communities Centre (T.C.C.) on behalf of the City of Oshawa; and,

Whereas, on January 24, 2022, Spectra submitted correspondence (see Attachment 1) seeking to explore the possibility of removing the video sign board at 99 Athol Street East which is at the end of its life cycle and replacing it with a new High Definition LED video sign board in a new more visible location; and,

Whereas, Spectra has identified the west façade of the Mary Street Parking Garage located at the northeast corner of King Street East and Mary Street North as an appropriate location for the new High Definition LED video sign board (see Attachment 1); and,

Whereas, Spectra has clarified that the new High Definition LED video sign board would primarily advertise upcoming events such as Oshawa Generals games but would also include third party advertising for T.C.C. sponsor recognition (i.e. Tribute, Pizza Pizza, Coca-Cola); and,

Whereas, Spectra has also clarified that the new High Definition LED video sign board would accommodate City of Oshawa public service announcements such as Program Registration or COVID-19 information; and,

Whereas, both the T.C.C. and the Mary Street Parking Garage are owned by the Corporation of the City of Oshawa; and,

Whereas, the Sign By-law 72-96, as amended, defines an Official Sign as any sign required by or erected on behalf of any federal, provincial, regional or municipal government or agency thereof or board or commission or public utility; and,

Whereas, a new video sign board at the Mary Street Parking garage would be considered an Official Sign; and,

Whereas, Article 3.5.1 of Sign By-law 72-96, as amended, permits the City to install an Official Sign on City property including projecting into a municipal road allowance; and,

Whereas, Article 3.11.1 of Sign By-law 72-96, as amended, permits a read-of-graph to be incorporated into a display surface as part of a permitted sign area for a fascia sign; and,

Whereas, the new High Definition LED video sign board proposed by Spectra is 6.09 metres (20 ft.) by 3.65 metres (14 ft.) (see Attachment 2); and,

Whereas, Article 3.12 of Sign By-law 72-96, as amended, provides that none of the provisions of Bylaw 72-96, as amended, apply to prevent the erection or display of any Official Sign; and,

Whereas, although Sign By-law 72-96, as amended, provides an exemption through Article 3.12.1, it is appropriate to seek Council direction on this matter owing to the third party advertising;

Therefore, be it resolved that Spectra Venue Management be advised that the City consents to a new High Definition LED video sign board, approximately 6.09 metres (20 ft.) by 3.65 metres (14 ft.) in size as shown generally on Attachments 1 and 2 to be installed at the Mary Street Parking Garage.

DS-22-67 - Proposed Noise Abatement Procedures for the Oshawa Executive Airport (Ward 2)

1. That, pursuant to Report DS-22-67 dated March 2, 2022, Council adopt the Proposed Noise Abatement Procedures for the Oshawa Executive Airport for the purposes of authorizing the Airport Manager to submit the Council-adopted Proposed Noise Abatement Procedures for the Oshawa Executive Airport and all supporting material to Transport Canada for their review, consideration and final approval as outlined in said Report in accordance with Transport Canada's Advisory Circular 302-002; and,
2. That the Mayor be authorized to send a letter on behalf of City Council to the Federal Minister of Transport to advise of the City's adoption of the Noise Abatement Procedures for the Oshawa Executive Airport and that the City looks forward to the Minister's support; and,
3. That copies of this Report and associated resolution be forwarded to all Oshawa and Whitby MPs and MPPs as well as to the Town of Whitby.

Report of the Finance Committee

FIN-22-26 - Corporate Payments for the Month of February 2022 (All Wards)

That Report FIN-22-26 concerning the corporate payments for the month of February 2022 be received for information.

FIN-22-27 - Financial Position as of February 28, 2022 (All Wards)

That Report FIN-22-27, dated March 16, 2022 concerning the City's financial position as of February 28, 2022, including the impacts of COVID-19, be received for information.

FIN-22-30 - Capital Projects Status Report as at December 31, 2021 (All Wards)

That Report FIN-22-30 concerning the Capital Project Status Report as at December 31, 2021 dated March 16, 2022 be received for information.

FIN-22-32 - Outstanding Items Status Report - First Quarter 2022 (All Wards)

That Report FIN-22-32, dated March 11, 2022 being the Finance Services Committee's Outstanding Items Status Report for the first quarter of 2022 be received for information.

FIN-22-34 - Contract Award – C2022-030 Consulting Services for Pedestrian Bridges (Ward 5)

Whereas, the Purchasing By-Law 80-2020 requires Council approval to award contracts for Consulting Services greater than \$100,000; and,

Whereas, Council approved Project 19-54-0064 Technical Feasibility Study - Oshawa Creek Main Branch in the amount of \$100,000 and 21-71-0082 Structure Replacement Designs in the amount of \$240,000 including non-rebateable H.S.T. and,

Whereas, Procurement issued a Request for Proposal (R.F.P.) C2022-030 for Consulting Services for Pedestrian Bridges; and,

Whereas, two (2) bids were received and opened by Procurement on March 10, 2022; and, Whereas, proposals were evaluated on the criteria outlined in the R.F.P. including corporate experience, quality of proposal, project deliverables, technical response and cost; and,

Whereas, the evaluation team unanimously scored the bid received by Amtec Engineering Ltd as comprehensive, thorough, addressed all requirements of the R.F.P, is the highest-ranking proponent and best satisfied the City's requirements; and,

Whereas, the bid received from Amtec Engineering Ltd in the amount of \$132,500 plus H.S.T. (\$134,832 including non-rebateable H.S.T.) is the highest ranked proponent and within budget; and,

Therefore, be it resolved that Council authorize the Manager, Procurement and Accounts Payable to award a contract to Amtec Engineering Ltd for the provision of consulting services for pedestrian bridges in the amount of \$132,500, plus H.S.T. being the highest ranked proposal received.

FIN-22-33 - Lakeview Park Walkway Replacement (Ward 5)

That Report FIN-22-33, dated March 16, 2022, concerning the Lakeview Park walkway replacement, be received for information.

FIN-22-28 - Active Transportation Fund – Region Coordination (All Wards)

Whereas, the Active Transportation Fund is a \$400 million, 5-year investment to fund projects that expand and enhance active transportation with a maximum program contribution of 60%, and;

Whereas, through Report FIN-22-23 Active Transportation Funds Update, dated February 23, 2022, Council approved staff to submit four applications under this grant program, and;

Whereas, subsequent to FIN-22-23, the Region of Durham contacted staff to coordinate submitting applications on behalf of member municipalities for active transportation projects on Regional roads identified in Attachment 1, and;

Whereas, the Wilson Road Multi-Use Path (M.U.P.) is currently included in the City's nine-year capital forecast in 2029, therefore, preliminary work has not begun, and;

Whereas, the Farewell Street M.U.P. from Marwood Drive to Harbour Road is included as part of project 22-75-0143 Farewell St Sidewalk & M.U.P. approved in the 2022 budget, and;

Whereas, the Rossland Road Multi-Use Path (M.U.P.) is currently included in the City's nine-year capital forecast in 2029, therefore, preliminary work has not begun, and;

Whereas, the Simcoe Street projects are the responsibility of the Region, and;

Whereas, Engineering Services approach is to align projects with the Region's planned construction projects in order to achieve economies of scale and ensure support from the Region of Durham, and;

Whereas, advancing the Wilson Road and the Rossland Road M.U.P. projects will require Engineering Services to manage these projects to completion by 2026, which would impact the timelines of other approved projects, and;

Whereas, staff support the list proposed by the Region, and;

Whereas, staff are seeking Council direction to submit a letter of support to the Region of Durham to include in their grant application submission, and;

Whereas, the grant application deadline is March 31, 2022,

Therefore, be it resolved:

1. That pursuant to FIN 22-28, City Council support and approve the Region of Durham's Active Transportation Fund application submission and if approved, the additional funding be funded from Transportation D.C. Reserve and Growth Related Non-D.C. Reserve; and,
2. That staff report back to Finance Committee on the status of the grant applications advising which projects were successful and the impact of the funding decisions; which may necessitate additional staff resources and potential modifications to the approved capital work priorities.

FIN-22-29 - 2021 BMA Study Overview (All Wards)

That Report FIN-22-29 dated March 16, 2022, concerning the 2021 BMA Study Overview be received for information.

FIN-22-31 - Contract Awards (Wards 2, 4 and 5)

1. R.F.T. C2022-001 HVAC Retrofit – Fire Hall #1
 - a. That the Manager, Procurement and Accounts Payable be authorized to award a contract, as detailed in Report FIN-22-31 dated March 16, 2022, to Mapleridge Mechanical Contracting Inc. for project 21-10-0034 Retrofit of Air Distribution System and HVAC at Fire Hall #1 in the amount of \$972,769 and including provisional items in the amount of \$114,000, for a total of \$1,086,769 excluding H.S.T.; and,
 - b. That Council approve additional funding in the amount of \$596,000, inclusive of non-rebateable H.S.T., to be funded from project 22-10-0080, Replace HVAC System at Fire Hall 4; and,
 - c. That staff request supplemental project funding for project 22-10-0080, Replace HVAC System at Fire Hall 4 as part of the 2023 Capital Budget.
2. R.F.T. C2022-002 Ed Broadbent Waterfront Park Construction
 - a. That the Manager, Procurement and Accounts Payable be authorized to award a contract, as detailed in Report FIN-22-31 dated March 16, 2022, to Anthony Furlano Construction Inc. for Ed Broadbent Waterfront Park Construction in the amount of \$3,387,930 excluding H.S.T. and provisional items in the amount of \$646,119, for a total of \$4,034,049 excluding H.S.T.; and,
 - b. That Council approve increasing Harrington McAvan's Ltd.'s contract amount by \$160,000, exclusive of H.S.T. to provide additional on-site construction inspection and contract administration for the Ed Broadbent Waterfront Park; and,
 - c. That Council approve additional funding in the amount of \$1.5 million (including non-rebateable H.S.T.), to be funded through a combination of funding from the Parks, Recreation and Trails Development Charges (D.C.) Reserve and the Harbour Rehabilitation and Improvement Reserve for project 19-51-0104 – Ed Broadbent Waterfront Park Development, required for construction and construction support costs.
3. R.F.P. C2021-121 Consulting Services for Stevenson Road North Environmental Assessment
 - a. That the Manager, Procurement and Accounts Payable be authorized to award a contract as detailed in Report FIN-22-31 dated March 16, 2022 to Gannett Fleming Canada ULC for R.F.P. C2021-121 Consulting Services for Stevenson Road North Environmental Assessment in the amount of \$256,073, excluding H.S.T. being the highest ranked proposal received; and,
 - b. That Council approve additional funding in the amount of \$12,791, inclusive of non-rebateable H.S.T., to be funded through a combination of funds from the Transportation Roads D.C. Reserve and the Growth Related Non-D.C. Reserve for project 19-73-0456 Northwood Roads Environmental Assessment.
4. R.F.P. C2022-006 Central Oshawa Major Transit Station Area Plan
 - a. That the Manager, Procurement and Accounts Payable be authorized to award a contract as detailed in Report FIN-22-31 dated March 16, 2022 to Parsons Inc. for

R.F.P. C2022-006 Central Oshawa Major Transit Station Area Plan in the amount of \$621,504, excluding H.S.T. being the highest ranked proposal received; and,

- b. That Council approve additional funding in the amount of \$123,865, inclusive of non-rebateable H.S.T., to be funded through a combination of funds from the Transportation Roads D.C. Reserve and the Growth Related Non-D.C. Reserve for projects 21-40-0057 Mobility Hub Transportation and Land Use Study and 21-73-0459 Central Oshawa Hub Infrastructure Improvements.

Staff Reports/Motions

Public Consent Agenda

Correspondence

CNCL-22-26 - Dave Briggs Submitting Comments concerning Item CS-22-28 (All Wards)

That Correspondence CNCL-22-26 from Dave Briggs submitting comments concerning Item CS-22-28 regarding a resolution from the Region of Durham concerning Vision Zero be referred to Item CS-22-28.

Public Discussion Agenda

Matters Excluded from Consent Agenda

CNCL-22-21 - Oshawa Senior Citizens Centres Board of Directors - Nomination for the 2022 Senior of the Year Award (All Wards)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Report CNCL-22-21 as he sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC) and did not take part in discussion or voting on the matter.)

Consent Motion:

That in accordance with Correspondence CNCL-22-21 from the Oshawa Senior Citizens Centres Board of Directors, Council endorse the nomination of Nancy Bone for the 2022 Senior of the Year Award.

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

Motion Carried (10 to 0)

Moved by Councillor McConkey
Seconded by Councillor Kerr

That the meeting recess for one hour.

Motion Carried

The meeting recessed at 1:34 p.m. and reconvened at 2:30 p.m. with all members of Council present electronically.

CS-22-27 - Jegateesan Ramasamy submitting concerns regarding the lack of Parking at Northern Dancer Public School (Ward 2)

Consent Motion:

That Correspondence CS-22-27 from Jegateesan Ramasamy submitting comments regarding the lack of parking at Northern Dancer Public School be referred to the Corporate Services Committee.

Amendment:Moved by Councillor Chapman
Seconded by Councillor Marks

That the recommendation be amended to delete 'Corporate Services Committee' and replace with 'Durham District School Board'.

Motion Carried

The vote to adopt the recommendation contained in Item CS-22-27, as amended.

Motion Carried

CS-22-28 - Resolution from the Region of Durham concerning Vision Zero (INFO-22-51) (All Wards)

Consent Motion:

Whereas the number of traffic related safety concerns in the City of Oshawa continues to increase; and,

Whereas City of Oshawa Councillors and staff work with residents to help address their traffic related safety concerns; and,

Whereas enforcement by DRPS continues to be a common request from residents including the request for Automated Speed Enforcement cameras to address their traffic related safety concerns; and,

Whereas the City of Oshawa supports The Regional Municipality of Durham's request for increased enforcement by DRPS; and,

Therefore, INFO-22-51 from the Regional Municipality of Durham be endorsed and that the City of Oshawa support the Region's request for increased enforcement by DRPS to achieve the goal of Vision Zero along with employing other tools in the built environment through responsive changes and good planning practices that also lead to safer, more responsible driving habits and speeds that help in achieving the Vision Zero goal; and,

That at this time the City takes no position on Emphasis Area 2, Program 2 (Automated Enforcement) in the Durham Vision Zero Strategy, until such time as the Region's anticipated report on Automated Enforcement is reviewed by Council.

A request was made to vote on Part 1 and Part 2 separately.

The vote to adopt Part 1 of the motion.

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

Absent (2): Councillor Marimpietri, and Councillor Neal

Motion Carried (9 to 0)

The vote to adopt Part 2 of the motion.

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

Absent (1): Councillor Neal

Motion Carried (10 to 0)

CS-22-32 - The Durham District School Board and the Durham Catholic District School Board submitting correspondence requesting the Province provide funding to municipalities to ensure safe school bus turn arounds on dead-end roads (All Wards)

Consent Motion:

That Correspondence CS-22-32 from The Durham District School Board and the Durham Catholic District School Board submitting correspondence requesting the Province provide funding to municipalities to ensure safe school bus turn arounds on dead-end roads be endorsed.

Motion Carried

CS-22-33 - Dave Basi submitting a request for a Community Safety Zone on Woodstream Avenue and a four-way stop sign at Esterbrook Drive and Woodstream Avenue (Ward 1)

Consent Motion:

Moved by Councillor McConkey

Seconded by Councillor Neal

That based on the request contained in CS-22-33 from Dave Basi, a Community Safety Zone on Woodstream Avenue from Grandview Street North to Esterbrook Drive and a four-way stop sign at Esterbrook Drive and Woodstream Avenue be approved.

Amendment: Moved by Councillor McConkey

Seconded by Councillor Neal

That the motion be amended to add the words, 'and a 40 km/hr speed limit' after the words 'Community Safety Zone' and the words 'Esterbrook Drive' be replaced with the words 'Townline Road'.

A request was made to divide the motion to vote on the two amendments separately.

The vote to adopt the addition of a 40 km/hr speed limit.

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 replacing Esterbrook Drive with Townline Road.

Affirmative (1): Councillor Neal

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

Motion Lost (1 to 9)

Moved by Councillor McConkey

Seconded by Councillor Neal

That the motion be further amended to extend the 40 km/hr limit from Esterbrook Drive to Townline Road.

Motion Carried

The vote to adopt the recommendation contained in Item CS-22-33, as amended.

Motion Carried

CORP-22-12 - Oshawa Animal Care Advisory Committee and Proposed Amendments to Responsible Pet Owners By-law 14-2010 (All Wards)

Consent Motion:

1. That Council approve a by-law to amend Responsible Pet Owners By-law 14-2010, as amended as outlined in Option "B" as detailed in Section 5.3.2.3, and to implement technical amendments as generally outlined in Section 5.2 of Report CORP-22-12 "dated March 3, 2022, and in a form and content acceptable to Legal Services and the Commissioner of Corporate Services; and,
2. That pet stores which currently sell rabbits be exempted from the by-law change for a period of six (6) months following the approval of the by-law; and,
3. That the Prohibited Animals List as detailed in Schedule A to Responsible Pet Owners By-law 14-2010 be referred back to staff to prepare an option on a permissive list and enforcement process for the consideration of the Corporate Services Committee and Council.

A request was made to divide the motion to vote on Part 3 separately.

The vote to adopt Parts 1 and 2 of the recommendation contained in Item CORP-22-12.

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 the recommendation contained in Item CORP-22-12.

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)

CORP-22-11 - 7-Eleven Canada Inc. - Withdrawal of Notice of Appeal - 245 Wentworth Street West (Ward 5)

Consent Motion:

That Correspondence CORP-22-11 dated February 23, 2022 from 7-Eleven Canada Inc. withdrawing its Notice of Appeal for the property located at 245 Wentworth Street West be received for information.

Motion Carried

CORP-22-16 - Restricted Acts (Lame Duck) Delegation of Authority Provisions (All Wards)

Consent Motion:

That in accordance with Report CORP-22-16 related to the Restricted Acts (Lame Duck) Delegation of Authority Provisions, dated March 2, 2022, Council pass a by-law in the form appended as Attachment 1 to this report and in the form and content acceptable to the City Solicitor, the City Clerk and the Commissioner, Corporate Services Department.

The vote to adopt the recommendation contained in CORP-29-22 and By-law 29-22.

Motion Carried

CORP-22-15 - Electronic and In-person City Council and Committee Meetings (All Wards)

Consent Motion:

That in accordance with Report CORP-22-15 dated March 2, 2022, concerning electronic and in-person City Council and Standing Committee Meetings, that in-person and/or electronic meetings begin effective April 4, 2022, subject to the provisions set out in the Council Procedure By-law and in accordance with Provincial Orders and Public Health restrictions; and,

That Council's Procedure By-law be amended to allow electronic participation for members of Council, provided they are physically located in the Province of Ontario subject to reasonable exceptions due to special circumstances, and for delegations regardless whether we are in a State of Emergency or not and that the public notice provisions be waived for this minor housekeeping amendment.

Amendment: Moved by Councillor Chapman
Seconded by Councillor Giberson

That the motion be amended to delete the words, 'provided they are physically located in the Province of Ontario subject to reasonable exceptions due to special circumstances'.

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

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

Motion Carried (8 to 3)

The vote to adopt the recommendation contained in CORP-22-15, as amended and By-law 28-22.

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)

DS-22-56 - Notice of Motion - Ontario Housing Affordability Task Force (All Wards)

Consent Motion:

Whereas, on February 8, 2022, a "Report of the Ontario Housing Affordability Task Force" was released publicly and presented to the Honourable Steve Clark, Ontario Minister of Municipal Affairs and Housing; and,

Whereas, the Ontario Housing Affordability Task Force was formed by the provincial government and tasked with the goal of formulating a number of actionable and concrete solutions to address the housing affordability and supply crisis in Ontario; and,

Whereas, the report contains a number of recommendations aimed to address housing affordability for Ontarians, and sets an ambitious target of 1.5 million new homes to be built in Ontario in the next ten years; and,

Whereas, several of the recommendations in the report, if implemented, would result in reduced decision-making powers for municipalities when it comes to identifying and planning for appropriate residential intensification within their respective communities, as well as result in fewer opportunities for public consultation and input in the local development approval process; and,

Whereas, while it is acknowledged that Ontario is in the midst of a housing crisis and all levels of government need to identify opportunities to increase the supply of housing to meet community

needs, it is also essential to respect local decision-making and the democratic process to ensure that housing is appropriately planned at a local level and through a public process;

Therefore be it resolved that:

1. City Council supports the need to increase the supply of housing within the Province of Ontario and within the City of Oshawa, where appropriately planned at a local municipal level and advanced through a public process that involves City Council in the decision-making process; and,
2. City Council opposes those recommendations of the Ontario Housing Affordability Task Force related to such matters as limiting appeal rights, reducing public participation, limiting decision-making at the local municipal level, limiting heritage preservation efforts, reducing or eliminating minimum parking requirements, removing barriers to construction that may compromise health and safety, limiting fiscal responsibility by requiring mandatory development charge and cash in lieu of parkland exemptions and permitting increased density as-of-right without local review of appropriate locations, servicing capacities and zoning by-law standards for intensification; and,
3. Mayor Carter, on behalf of City Council, be authorized to send a letter to the Premier of the Province of Ontario and the Minister of Municipal Affairs and Housing to express the City's concerns, as generally noted in this resolution, with respect to those recommendations of the "Report of the Ontario Housing Affordability Task Force" which seek to limit public input and local decision-making power by municipalities concerning residential intensification in their respective communities; and,
4. Development Services staff report through the Development Services Committee on any subsequent recommendations or legislative changes being advanced by the Province with respect to this matter when posted on the Environmental Bill of Rights or released publicly; and,
5. A copy of this Council resolution be sent to the Region of Durham, Durham area municipalities, Durham area M.P.P.s, the Association of Municipalities of Ontario and Ontario's Big City Mayors.

Amendment:Moved by Councillor Giberson
Seconded by Councillor Marks

That the motion be amended to add the following at the end of Part 1, 'and supports those recommendations of the Task Force that would lead to increases in the planning department capacity of municipalities'.

Amendment:Moved by Councillor Nicholson
Seconded by Councillor McConkey

That the amendment be amended to add, 'and preserves the utmost public participation in the planning process'.

Motion Carried

Amendment: Moved by Councillor Nicholson
Seconded by Councillor Marks

That the amended be further amended to replace the word 'those' with 'any'.

Motion Carried

The vote on the amendment, as amended.

Motion Carried

The vote to adopt the recommendation contained in Item DS-22-56, as amended.

Motion Carried

DS-22-57 - Notice of Motion - Lake Ontario Waterfront - SO Developments (Ward 5)

Consent Motion:

Whereas, SO Developments Inc. (the “Developer”) has submitted rezoning and draft plan of subdivision applications (Files: Z-2016-15 and S-O-2016-11, respectively) to permit a residential subdivision featuring a number of single detached dwelling and semi-detached dwelling lots on the west side of Park Road South, south of Renaissance Drive and adjacent to the Lake Ontario Waterfront and the City’s Waterfront Trail; and,

Whereas, the Developer appealed the applications to the Local Planning Appeal Tribunal (which is now referred to as the Ontario Land Tribunal – “O.L.T.”), with the appeal case number being PL180364; and,

Whereas, the City has consistently opposed these applications primarily on the basis of protecting the majority of this property as an environmental protection area for wildlife, specifically the monarch butterfly migratory habitat located on the lands given that the monarch is a Species at Risk, and for future generations given the property’s location adjacent to the waterfront; and,

Whereas, the Lake Ontario waterfront is an important asset in the City and the City has been an advocate for protecting lands along the waterfront for environmental protection purposes and for ensuring a more publicly accessible waterfront; and,

Whereas, City protection of lands for public purposes along the waterfront include examples such as the Second Marsh which is a Provincially Significant Wetland, the Gold Point Wildlife Reserve and the Ed Broadbent Waterfront Park; and,

Whereas, the City retained environmental experts to provide evidence at the O.L.T. hearing on the Developer’s applications in order to protect the monarch butterfly migratory habitat; and,

Whereas, the O.L.T. did not accept the City’s evidence and vision for this property and made a decision to effectively allow the entirety of the property to be developed, which demonstrated in Council’s opinion that the private developer interests outweighed the considerations of the public interest; and,

Whereas, this O.L.T. decision is disappointing as the City believes the O.L.T. should have given more weight and consideration to the City's evidence and position which represented the community's voice for the waterfront on behalf of all the City's residents; and,

Whereas, if the recommendations of the Ontario Task Force on Housing Affordability are implemented by the Government of Ontario then the local positions and voices of municipalities and their residents will be further marginalized and disregarded since private interests concerning housing developments would appear to take precedence over other higher order public interests such as environmental protection along the waterfront;

Therefore be it resolved:

1. That Mayor Carter on behalf of City Council send a letter to the Minister of Municipal Affairs and Housing and the Minister of Northern Development, Mines, Natural Resources and Forestry advising of the City's disappointment with respect to the Ontario Land Tribunal's decision concerning the proposed subdivision on the west side of Park Road South, south of Renaissance Drive and adjacent to Lake Ontario and the City's Waterfront Trail, and requesting changes to the planning approval process to give considerably more weight to local municipal council positions in the public interest since council is more aware of the needs and vision of the local community; and,
2. That a copy of this resolution be sent to the Region of Durham, all local municipalities in the Region of Durham, all Durham MPPs, the Association of Municipalities of Ontario and the Ontario Big City Mayors.

Amendment:Moved by Councillor Nicholson
Seconded by Councillor Gray

That the following be added as Part 2:

'That the Council of the City of Oshawa request the Minister of Municipal Affairs and Housing and the Minister Northern Development, Mines, Natural Resources and Forestry to use all powers within their jurisdictions, including Ministers Zoning Orders, to prevent the conversion of this irreplaceable waterfront greenspace to housing and any other use not in keeping with principle of sustainable waterfront corridors and greenspace areas;'

And the remainder be renumbered.

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 Item DS-22-57, 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

DS-22-58 - Notice of Motion - Growth Plan for the Greater Golden Horseshoe (All Wards)

Councillor McConkey declared a conflict on this item. (Councillor McConkey made a declaration of interest concerning Item DS-22-58 as she has family who own property and live within the subject area and did not take part in discussion or voting on the matter.)

Consent Motion:

Whereas, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the “Growth Plan”) provides population and employment forecasts for all upper and single-tier municipalities in the Greater Golden Horseshoe to plan and manage growth and guide land use decision-making to 2051; and,

Whereas, the Growth Plan has a minimum density target of fifty (50) residents and jobs combined per hectare for new development in the Region of Durham’s designated Greenfield areas; and,

Whereas, aside from general open space areas, the lands within the Columbus Part II Planning Area are designated in the Durham Regional Official Plan and Oshawa Official Plan as Living Areas and Residential, respectively, and constitute a Greenfield area in accordance with the Growth Plan; and,

Whereas, the Columbus Part II Planning Area is a unique Greenfield area in Oshawa in that it contains the former hamlet of Columbus, including the existing main intersection at Columbus Road and Simcoe Street North and the approaches along Simcoe Street North and Columbus Road leading to the main intersection, commonly referred to as the Columbus Special Development Area; and,

Whereas, the former hamlet of Columbus forms the core of the Columbus Part II Planning Area and contains several identified and potential cultural heritage resources that date back to the nineteenth century; and,

Whereas, the Oshawa Official Plan contains policies to ensure that future growth within the former hamlet of Columbus occurs in a manner that is sensitive to the community’s cultural heritage, considering land use compatibility, scale of development and urban design; and,

Whereas, the community of Columbus, while unique to Oshawa, is contextually similar in terms of its built heritage resources and character to that which is found in similar, once rural, settlements across the Greater Golden Horseshoe that have subsequently become part of a municipality’s designated Greenfield area; and,

Whereas, given the existing built form and lotting fabric of many former rural settlements across the Greater Golden Horseshoe that are now within designated Greenfield areas, it is challenging to achieve the minimum density target for residents and jobs in designated Greenfield areas required under the Growth Plan while still protecting the character and built heritage resources of such settlements; and,

Whereas, the City of Oshawa, like other lower-tier municipalities throughout the Greater Golden Horseshoe, is obligated to comply with the Growth Plan’s minimum density target for designated Greenfield areas regardless of the challenges associated with preserving the existing built heritage resources and character of former rural settlements; and,

Whereas, the Draft Preferred Land Use and Road Plan developed for the Integrated Columbus Part II Planning Act and Municipal Class Environmental Assessment Act Study currently underway in Oshawa achieves the requisite minimum density target of fifty (50) residents and jobs combined per hectare overall, but only through implementing a greater number of higher-density land uses surrounding the former hamlet in order to offset the substantially lower density level of the former hamlet area itself, whose character and built form it is desirable to protect;

Therefore, be it resolved:

1. That Mayor Carter on behalf of Council be authorized to send a letter to the Premier of the Province of Ontario requesting that the Province amend A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, to allow lower-tier municipalities to implement lower minimum density targets in terms of combined jobs and population in designated Greenfield areas where preservation of the existing characteristics of a former rural settlement, such as the former hamlet of Columbus, is desirable, and to allow the City to exclude the former hamlet area for the purposes of calculating the population density targets in the Growth Plan; and,
2. That a copy of this Council resolution be sent to the Region of Durham, Durham area municipalities, Durham area MPPs, and the Association of Municipalities of Ontario.

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

Motion Carried (10 to 0)

DS-22-54 - First Report of the Heritage Oshawa Committee (Ward 5)

Consent Motion:

That Report DS-22-54 being the First Report of Heritage Oshawa be endorsed:

1. 827 Gordon Street Designation Request (HTG-22-11)

Whereas at its meeting of May 10, 2021 the Development Services Committee referred Correspondence DS-21-102 from AnnMarie Snider and Correspondence DS-21-103 from David Talbot concerning 827 Gordon Street to Heritage Oshawa; and,

Whereas at its meeting of May 26, 2021, Heritage Oshawa considered Correspondence HTG-21-28 (DS-21-102) and HTG-21-29 (DS-21-103) and commissioned a research report for 827 Gordon Street; and,

Whereas at its meeting of November 25, 2021, Heritage Oshawa considered a research report for 827 Gordon Street and received the report for information;

Therefore, be it resolved:

1. That 827 Gordon Street not be designated (under Part IV of the Ontario Heritage Act) at this time; and,

2. That AnnMarie Snider and David Talbot be thanked for their correspondence and interest in heritage research and heritage designation.

Moved by Councillor McConkey

Seconded by Councillor Neal

That Item DS-22-54 be referred back to the Development Services Committee.

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

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

Motion Carried (7 to 4)

DS-22-52 - Update on the Lviv Boulevard Design and Ministry of Transportation's Rehabilitation of Highway 401 and Replacement of Bridge Structures Contracts (Ward 5)

Consent Motion:

1. That Report DS-22-52 dated March 2, 2022 regarding the Update on the Lviv Boulevard Design and Ministry of Transportation's Rehabilitation of Highway 401 and Replacement of Bridge Structures Contracts be endorsed as the City's comments; and,
2. That a copy of Report DS-22-52 be forwarded to the Ministry of Transportation and the Regional Municipality of Durham.

Motion Carried

DS-22-51 - Results of Staff Investigation regarding a Water Drainage Issue at 903 Black Cherry Drive (Ward 1)

Consent Motion:

That Report DS-22-51 dated March 2, 2022 concerning a drainage issue at 903 Black Cherry Drive be received for information.

Moved by Councillor McConkey

Seconded by Councillor Neal

That Item DS-22- 51 be referred to the Community Services Committee.

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

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

Motion Lost (5 to 6)

Moved by Councillor McConkey
Seconded by Councillor Neal

That Item DS-22-51 be referred to the next Council meeting.

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

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

Motion Lost (4 to 7)

The vote to adopt the recommendation contained in Item DS-22-51.

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

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

Motion Carried (8 to 3)

DS-22-62 - Correspondence DS-21-232 concerning the decision of the Ministry of the Environment, Conservation and Parks regarding 1515 Thornton Road North (Wards 1 and 2)

Councillor Marimpietri declared a conflict on this item. (Councillor Marimpietri made a declaration of interest concerning Item DS-22-62 as he has family who own property and live within the subject area and did not take part in discussion or voting on the matter.)

Consent Motion:

That Report DS-22-62 dated March 2, 2022 concerning Correspondence DS-21-232 concerning the decision of the Ministry of the Environment, Conservation and Parks regarding 1515 Thornton Road North be received for information.

Moved by Councillor McConkey
Seconded by Councillor Neal

That DS-22-62 be referred to Legal Services for a report back to the next Development Services Committee.

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

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

Motion Lost (4 to 6)

The vote to adopt the recommendation contained in Item DS-22-62.

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

Negative (2): Councillor McConkey, and Councillor Neal

Motion Carried (8 to 2)

DS-22-64 - 1997 Operating and Option Agreement for the Oshawa Executive Airport (Ward 2)

Councillor Chapman declared a conflict on this item. (Council Chapman made a declaration of interest concerning Item DS-22-64 as the matter deals with the South field where the Ontario Regiment Museum is located and he is a member of the Museum and honorary Colonel of the Ontario Regiment and did not take part in discussion or voting on the matter.)

Consent Motion:

1. That, pursuant to Report DS-22-64 dated March 2, 2022, the South Field and East Airport Accessible Trail lands as shown on Attachment 1 to said Report be deemed not necessary for the management, maintenance or operation of the Oshawa Executive Airport as an undertaking and as a result, Transport Canada be requested to amend the 1997 Operating and Option Agreement for the Oshawa Executive Airport to remove said lands from the area subject to the agreement; and,
2. That, pursuant to Report DS-22-64 dated March 2, 2022, the Mayor and Clerk be authorized to sign any necessary agreement required to give effect to Item 1 above; and,
3. That, pursuant to Report DS-22-64 dated March 2, 2022, staff be authorized, in consultation with the Airport Manager, to advance discussions with the appropriate representatives of the Federal Government with respect to various matters concerning the current framework and terms of the 1997 Operating and Option Agreement for the Oshawa Executive Airport, as generally outlined in Section 5.4 of said Report, and report back to the Development Services Committee on the results of those discussions.

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

Motion Carried (10 to 0)

DS-22-65 - Results of Legal Opinion and Peer Review of Transportation Matters Related to the Site Plan Approval Application for 1231 Ormond Drive (Ward 1)

Consent Motion:

That Report DS-22-65 dated March 2, 2022, concerning the results of a legal opinion and peer review of transportation matters related to the site plan approval application (File: SPA-2018-32) for 1231 Ormond Drive, be received for information.

Affirmative (6): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Hurst, Councillor Marimpietri, and Councillor Marks

Negative (5): Mayor Carter, Councillor Kerr, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Motion Carried (6 to 5)

DS-22-71 - Silverado Park (Ward 3)

Consent Motion:

Whereas the City owns a park block in the new residential subdivision being developed by Treasure Hill located north of Shankel Road and west of Townline Road North; and,

Whereas a number of streets in the existing subdivision located both north and south of Adelaide Avenue East in this area are name after General Motors vehicles such as Belair, Eldorado, Skylark and Lemans; and,

Whereas it is important to recognize and celebrate the reopening of the General Motors plant and specifically the high quality new Silverado trucks being built at the plant; and,

Whereas both General Motors and Unifor have no objection to naming this park as “Silverado Park” and recognize that the name was inspired by the GM Silverado being built in Oshawa; and,

Whereas it is anticipated that the park will be constructed in 2022 and naming it after a GM vehicle is consistent with the naming of many streets in the area;

Therefore be it resolved:

1. That the new park located north of Shankel Road, west of Townline Road North be name “Silverado Park”; and
2. That General Motors and Unifor be thanked for their support in naming the park after the Silverado trucks being built in Oshawa.

Moved by Councillor McConkey

That the item be referred to the Innovation and Transformation Department.

Motion Lost

The vote to adopt the recommendation contained in Item DS-22-71.

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

Negative (1): Councillor McConkey

Motion Carried (10 to 1)

FIN-22-25 - 2021 Annual Investment Report (All Wards)

Consent Motion:

That Report FIN-22-25, dated March 16, 2022, concerning the 2021 annual investment activity be received for information.

Motion Carried

FIN-22-35 - Contract O 22-01 Asphalt Pavement Rehabilitation Request for Endorsement of Additional Candidates (All Wards)

Consent Motion:

Whereas Projects 74-0043 – Asphalt Pavement Rehabilitation was approved for certain candidate streets as part of the 2022 Capital Budget in the amount of \$1,865,000; and,

Whereas the Asphalt Preservation program aims to sustain the current level of service and protect the City's road infrastructure from premature deterioration; and

Whereas the City's early tendering process resulted in significantly lower than anticipated pricing results; and,

Whereas the City's current contract language allows for the ability to add work to the tender package; and,

Whereas staff have identified additional road candidates that could be included and would benefit the street condition for area residents, returning greater value to the area of the approved project; and,

Whereas additional candidates will only be awarded to the selected contractor based on a recommendation of the Director of Engineering Services once staff is sufficiently satisfied that the contractor can reasonably finish the work within the contract schedule and within the area of the current work;

Therefore, be it resolved that pursuant to FIN-22-35 staff be authorized to incorporate additional road candidates within the Asphalt Pavement Rehabilitation contract while remaining within the approved budget amount.

Motion Carried

CNCL-22-20 - Report on 2021 Actions Taken to Address Poverty (All Wards)

That Report CNCL-22-20 dated March 22, 2022 concerning a report on the 2021 actions taken to address poverty be received for information.

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)

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 March 28, 2022 be adopted as recommended except:

Item DS-22-53 of the Seventy-Sixth Report of the Development Services Committee.

Closed Correspondence

None

Closed Standing Committee Reports

Report of the Community Services Committee

None

Report of the Corporate Services Committee

None

Report of the Development Services Committee

DS-22-49 - Request for an Amended Agreement to Permit an Encroachment south of Woodlea Crescent on City-owned Land on the north side of Rossland Road West, west of Ansley Court (Ward 2)

That, pursuant to Closed report DS-22-49 dated March 2, 2022, the request for an amended encroachment agreement to permit a larger encroachment on a portion of City-owned land on the north side of Rossland Road West, west of Ansley Court be denied, as set out in Section 5.3.1 of said Report.

DS-22-44 - Direction on City Staff Involvement Respecting an Appeal to the Ontario Land Tribunal of an Application to Amend Zoning By-law 60-94 Concerning 1040 Cedar Street and 280 Wentworth Street West (Ward 5)

That, pursuant to Report DS-22-44 dated March 2, 2022, City staff be authorized to advance the Council position as recommended in Section 5.2 of said Report at the Ontario Land Tribunal concerning an appeal submitted by Karen Hodgeman with respect to an Application to Amend Zoning By-law 60-94 (File: Z-2020-04) for the lands known municipally as 1040 Cedar Street and 280 Wentworth Street West.

DS-22-50 - Request for an Encroachment or Transfer of City-owned Land on Eulalie Avenue (Ward 4)

That, pursuant to Closed Report DS-22-50 dated March 2, 2022, the Commissioner, Development Services Department be directed to advance Option 1 as set out in Section 5.4.1 of said Report as the City's response to the request for an encroachment or transfer of the City-owned land, located at the northwest corner of Eulalie Avenue and Huron Street, comprising 0 Eulalie Avenue.

Report of the Finance Committee

None

Closed Staff Reports/Motions

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Moved by Councillor Chapman
Seconded by Councillor Giberson

That the meeting be closed to the public pursuant to Section 239(c)(e) and (f) of the Municipal Act in order to hear the delegation of Peter Lawryshyn which is regarding Item DS-22-53 concerning a proposed or pending acquisition or disposition of land and to consider Report CNCL-22-24 concerning personal matters about an identifiable individual, including City or local board employees.

Motion Carried

The meeting recessed at 5:34 p.m. and reconvened in closed session at 5:40 p.m. with all members of Council in attendance electronically, except Councillor Marimpietri.

Also in attendance electronically were the City Clerk, the Chief Administrative Officer, the Commissioner, Finance Services; the Commissioner, Development Services Department; the Commissioner, Corporate Services Department; the City Solicitor; the Executive Director, Human Resources Services; the Director, Planning Services; the Deputy City Clerk; and J. Lane, Council-Committee Coordinator.

All other staff left the meeting.

Council entered closed session at 5:40 p.m.

Peter Lawryshyn entered the meeting.

Closed meeting discussions took place.

Peter Lawryshyn left the meeting.

The Commissioner, Community Services Department entered the meeting at 5:50 p.m.

Closed meeting discussions took place.

The Commissioner, Finance Services; the Commissioner, Development Services Department; the Commissioner, Corporate Services Department; the City Solicitor; the Executive Director, Human Resources Services; the Director, Planning Services; the Deputy City Clerk; and J. Lane, Councillor-Committee Coordinator left the meeting.

Closed meeting discussions continued.

Moved by Councillor Chapman
Seconded by Councillor Kerr

That Council rise from closed session and report.

Council rose from closed session at 5:42 p.m.

Closed Report

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

Peter Lawryshyn provided a delegation concerning Item DS-22-53 regarding a request for an encroachment agreement to permit an encroachment on City-owned land on the south side of Valewood Court, east of Sandalwood Court.

Members of Council questioned Peter Lawryshyn.

Peter Lawryshyn left the meeting.

Members of Council discussed Item DS-22-53.

Members of Council questioned the Commissioner, Development Services Department.

Members of Council questioned the Commissioner, Community Services Department.

The Commissioner, Finance Services; the Commissioner, Development Services Department; the Commissioner, Corporate Services Department; the City Solicitor; the Executive Director, Human Resources Services; the Director, Planning Services; the Deputy City Clerk; and J. Lane, Councillor-Committee Coordinator left the meeting.

The Chief Administrative Officer provided a verbal report of his annual performance review.

Members of Council questioned the Chief Administrative Officer.

Direction was given to the Chief Administrative Officer.

This concludes the closed meeting summary.

Items Requiring Action

CNCL-22-24 - Paul Ralph, Chief Administrative Officer, Providing an Annual Performance Review (All Wards)

That staff proceed as directed in closed session.

A request was made to divide the direction to vote on each part separately.

The vote to adopt Part 1.

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

Absent (1): Councillor Marimpietri

The vote to adopt Part 2.

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

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

Absent (1): Councillor Marimpietri

Motion Lost (5 to 5)

DS-22-53 - Request for an Encroachment Agreement to Permit an Encroachment on City-owned Land on the south side of Valewood Court, east of Sandalwood Court (Ward 2)

Consent Motion:

That, pursuant to Closed Report DS-22-53 dated March 2, 2022, the request for an encroachment agreement to permit an encroachment on a portion of City-owned land on the south side of Valewood Court, east of Sandalwood Court be denied, as set out in Section 5.3.1 of said Report.

Motion Carried

By-Laws

The following By-laws were passed:

28-2022 - A By-law to amend Council Procedure By-law 111-2017, as amended

(Implements direction of March 28, 2022 through Item CORP-22-15 of the Thirty-Seventh Report of the Corporate Services Committee to further amend Council Procedure By-law 111-2017, as amended to permit electronic participation in open and closed meetings and that such participation by a Member of Council count towards quorum.)

29-2022 - A By-law to Implement a Restricted Acts By-law

(Implements direction of March 28, 2022 through Item CORP-22-16 of the Thirty-Seventh Report of the Corporate Services Committee to temporarily provide the ability to conduct certain business in the event of City Council being restricted in its authority pursuant to Section 275 of the Municipal Act, 2001 S.O. 2001, c25, as amended.)

30-2022 - A By-law to Amend Zoning By-law 60-94, as amended

(Implements direction of the Commissioner, Development Services Department to lift the Holding "h" provisions on certain lands generally located at the southwest corner of Dance Act Avenue and Thoroughbred Street to remove the "h-14" holding symbol on the subject lands as the condition has been satisfied to permit 16 lots each for a single detached dwelling and 4 blocks for up to 27 street townhouse dwellings.)

31-2022 - A By-law to license, regulate and govern Vehicle-for-Hire Services and Designated Driving Services in the City of Oshawa

(Implements Council direction of October 26, 2020 through Item CORP-20-34 of the Twenty-Second Report of the Corporate Services Committee to approve a consolidated Vehicle-For-Hire By-law and a by-law to repeal Taxicab Licensing By-law 50-2003, as amended, amend the General Fees and Charges By-law 13-2003, as amended, and Licensing By-law 120-2005, as amended.)

32-2022 - A By-law to amend Emergency Management By-law 77-2008, as amended

(Implements direction of March 28, 2022 through Item CS-22-23 of the Thirty-Eighth Report of the Community Services Committee to update the designated persons list for both the municipal control group and the community emergency management program committee in order to be consistent with the City's current Emergency Plan and consistent with the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9.)

33-2022 - A By-law to amend Delegation of Authority By-law 29-2009, as amended

(Implements direction of March 28, 2022 through Item CS-22-24 of the Thirty-Eighth Report of the Community Services Committee to address the requirements of O. Reg. 406/19, On-site and Excess Soil Management, provide delegated authority to certain Operations Services staff to make applications for approvals and permits related to City projects, and reflect the change in title from Supervisor, Parks Development and Technical Services to Manager, Park Planning and Development.)

Matters Tabled

Report DS-19-19 - Request from the Oshawa Port Authority to Amend the 1976 Harbour Road Extension Agreement

Report DS-19-19 concerning the request from the Oshawa Port Authority to amend the 1976 Harbour Road Extension Agreement to convey a portion of the City-owned Harbour Road road allowance east of Farewell Street to the Federal Crown, "as is where is" and for a nominal amount to allow the Oshawa Port Authority to construct a driveway access rather than a City-owned collector road. (Tabled February 8, 2019)

Moved by Councillor Nicholson
Seconded by Councillor Chapman

That Report DS-19-19 concerning Request from the Oshawa Port Authority to Amend the 1976 Harbour Road Extension Agreement be lifted from the table and received for information.

Motion Carried

Notices of Motion Previously Given

Whereas March, 2022 is the 2 year mark for Council giving emergency management to the Mayor and CAO, which is half of this term of Council; and,

Whereas the Federal government and provincial governments are eliminating many COVID-19 protocols and transitioning back to business as usual;

Now therefore the delegation of authority from Council to the Mayor and CAO be revoked and returned to the regular Council procedures.

Councillor McConkey withdrew the Notice of Motion.

Motion Carried

Notices of Motion

The following notice of motion was submitted by Councillor Nicholson:

That Council authorize staff to construct a 0.9 metre (3 ft.) high decorative metal fence in front of the eight (8) townhouse units in Building 9 facing Charter Crescent with gates to allow direct pedestrian access between the eight (8) individual units and the Charter Crescent sidewalk; and,

That the fence be constructed and maintained at the City's cost of approximately \$14,750 (inclusive of H.S.T. and a 15% contingency); and,

That this motion be referred to the next Council meeting.

The following three notices of motion were submitted by Councillor McConkey:

"Whereas an open and public tracking of Committee of Adjustment decisions can help raise awareness of various growth trends in the City of Oshawa; and,

Whereas over the years the type of applications to the Committee of adjustments has been changing, for example since the 2019 Province's More Homes More Choice Act there are applications for permit accessory apartments and the number of applications requesting parking reductions for accessory apartments;

Now therefore the Council direct the City of Oshawa Committee of Adjustment to track and publish quarterly Committee of Adjustment Reports each year tacking trends such as:

the number of applications related to Environmental Matters; Heritage Matters and Planning Matters related to site plans or plans of subdivision or zoning applications and:

- a. the number of new accessory apartments, identified by address, City Ward, size of accessory apartment by number of bedrooms; and number of parking reduction requests;
- b. the number of applications approved or denied quarterly throughout the year;
- c. the number of new development applications with more than three residential units applying for parking reductions, with total number of units, identified by address, City Ward, number of bedrooms and parking reduction requests approved or denied monthly throughout the year;
- d. the number of new commercial or industrial applications applying for parking reductions, with total number of spaces required vs number reduced.
- e. the number of Committee of Adjustment decisions appealed to the Ontario Land Tribunal a) by the City b) by the applicant or c) by another party and whether they are concerning subdivisions; minor variances
- f. the number of rezoning applications for condominiums; for employment zoning; for residential zoning; and for site plan applications."; and,

That this motion be referred to the Development Services Committee.

And;

"Whereas in 2006 the City of Oshawa instituted a new City slogan 'Prepare to be Amazed'; and,

Whereas in 2024 the City of Oshawa will celebrate its 100th anniversary as a City; and,

Whereas at this time Oshawans could be open to welcoming a new Oshawa slogan to launch in the City's anniversary year;

NOW THEREFORE Council direct City Staff to investigate and report back to Committee(s) and Council on an inspiring process to initiate a new City slogan in time for the City's Centennial celebration; and,

That this motion be referred to the Corporate Services Committee.

Councillor McConkey withdrew the following Notice of Motion:

Whereas the City Naming Policy for Oshawa Parks and Facilities is from 2009 and in need of a serious update in terms of following the City's diversity and inclusion goals;

Now therefore Council direct staff to report back to Committee(s) and Council with an updated Naming Policy for Oshawa Parks and Facilities, with the potential to include for a comprehensive new Naming policy consideration for the naming of City Streets as well, which is an Item on the Development Services Department List of Outstanding Items.

The following notice of motion was submitted by Councillor Neal:

Whereas Ronald William "Bucky" Richards was an Oshawa resident and had a significant impact on the ski jumping community in Canada; and,

Whereas Mr. Richards was a competitive ski jumper and the manager of the Canadian national ski jumping team for the 1972 and 1976 Olympic Games and a technical delegate at numerous world cups and the 1988 Winter Olympics, and an inductee in the Oshawa Sports Hall of Fame;

Therefore, the Development Services Department be directed to investigate naming a street in honour of Bucky Richards; and,

That this motion be referred to the Development Services Committee.

Confirming By-Law

Moved by Councillor Chapman

Seconded by Councillor Giberson

A by-law to confirm the City Council meeting of March 28, 2022.

Motion Carried

Adjournment

Moved by Councillor Kerr

Seconded by Councillor Chapman

That the meeting adjourn at 7:21 pm

Mayor

City Clerk