



**Oshawa City Council  
Minutes**

**April 25, 2022, 9:30 a.m.  
Council Chamber**

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 delegations of Raymond Bond, Cheryl Penner, Doug Allman, Rose Mary Buote, Jodi Doucet, Vincent Neal, Wendy Neal, Judy Jaeger, Angela Shaban and Caren Walsh be added to the agenda, and Correspondence CNCL-22-34 from various residents submitting comments concerning Item CS-22-39 and Correspondence CNCL-22-35 from Mattieu Lafrance submitting comments concerning the Notice of Motion regarding fencing on Charter Crescent be added to the agenda for the meeting of April 25, 2022 and be referred to the respective items.

Motion Carried

## **Declarations of Pecuniary Interest**

None

Moved by Councillor McConkey

Seconded by Councillor Neal

That the Rules of Procedure be waived to introduce a time sensitive motion regarding heavy truck traffic and weight restrictions for 2022. **(Requires 2/3 vote of members present)**

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

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

Motion Lost (3 to 8)

## **Presentations**

Mayor Carter recognized the following 2022 Community Organization Volunteer Award recipients:

- Sam Marmara, Simcoe Hall Settlement House
- Corrine Marmara, Simcoe Hall Settlement House
- Christopher J. Foster, ODAWG Harmony Dog Park
- Rob Foster, ODAWG Harmony Dog Park
- Robert Amos, Oshawa-Durham AM Kiwanis Club
- Doris Avery, Oshawa Senior Community Centres 55+
- Cathy McFarland, Oshawa Senior Community Centres 55+
- Sheri Pereira, Durham Shoestring Performers
- Andra Kelly, Durham Shoestring Performers
- William Cromwell, Salvation Army Food Bank
- Judith Gray, Salvation Army Food Bank

## **Delegations**

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the delegations of Raymond Bond, Cheryl Penner and Doug Allman be heard.

Motion Carried

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the delegations of Rose Mary Buote, Jodi Doucet, Vincent Neal, Wendy Neal, Judy Jaeger, Angela Shaban and Caren Walsh be heard. **(Requires 2/3 vote of members present)**

Motion Carried

**Vincent Neal - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Vincent Neal addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

**Wendy Neal - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Wendy Neal was not in attendance to address members of Council.

**Raymond Bond - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Raymond Bond addressed members of Council regarding Item CS-22-39 concerning his request for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

**Doug Allman - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Doug Allman addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

**Judy Jaeger - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Judy Jaeger addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

**Cheryl Penner - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Cheryl Penner addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

Moved by Councillor McConkey  
Seconded by Councillor Kerr

That the delegation's time be extended by two minutes.

Motion Carried

Cheryl Penner continued to address Council regarding Item CS-22-39.

**Rose Mary Buote - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Rose Mary Buote addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

Moved by Councillor McConkey  
Seconded by Councillor Kerr

That the delegation's time be extended by two minutes.

Motion Carried

Rose Mary Buote continued to address Council regarding Item CS-22-39.

**Jodi Doucet - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Jodi Doucet was not in attendance to address members of Council.

**Angela Shaban - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Angela Shaban addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

Members of Council questioned Angela Shaban.

**Caren Walsh - CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Caren Walsh addressed members of Council regarding Item CS-22-39 concerning a request from Raymond Bond for a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.).

**Matters Requiring Direction**

None

**Items Pulled from Information Package**

None

**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 April 25, 2022 be adopted as recommended except the following:

Minutes of Council - March 28, 2022; and,

Items CS-22-36, CS-22-39 and CS-22-41 of the Thirty-Ninth Report of the Community Services Committee; and,

Item CORP-22-23 of the Thirty-Eighth Report of the Corporate Services Committee.

Item DS-22-76 of the Seventy-Seventh Report of the Development Services Committee; and,

Items FIN-22-36, FIN-22-37 and related By-law 45-2022, FIN-22-40 and related By-law 46-2022, FIN-22-42 and FIN-22-43 of the Fifty-Third Report of the Finance Committee.

## **Correspondence**

### **CNCL-22-33 - Oshawa Public Libraries forwarding Correspondence from Heather Young concerning a request to rename the Delpark Homes Centre Branch, or a future Library Branch in honour of Ruth Brooking, Oshawa's first Librarian (All Wards)**

That Correspondence CNCL-22-33 from Oshawa Public Libraries forwarding correspondence from Heather Young concerning a request to rename Delpark Homes Centre Branch, or a future Library Branch in honour of Ruth Brooking, Oshawa's first Librarian be referred to staff for a report.

## **Standing Committee Reports**

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

#### **CS-22-34 - Request for Challenge League Sports Alternative Equipment Storage Facility (Ward 5)**

Whereas on December 13, 2021 correspondence CS-21-134 dated November 30, 2021 concerning the request for Challenge League Sports alternative equipment storage facility was referred to staff to investigate options and report back; and,

Whereas Challenge League Sports currently rents a storage locker out of Delpark Homes Centre for items and equipment related to their softball and basketball programs; and,

Whereas Challenge League Sports is seeking alternative storage options provided by the City for these items and equipment due to accessibility concerns expressed by the League; and,

Whereas Challenge League Sports softball program is held at Lakeview Park ball diamonds; and,

Whereas staff met with Challenge League Sports at Lakeview Park and discussed storage options within current existing storage facilities at this location; and,

Whereas staff agreed that softball equipment such as bases and pitching machines can be stored within these existing storage facilities; and,

Whereas staff indicated there is no additional storage options for items not related to the playing of the softball program such as trophies, uniforms and administration files;

Therefore be it resolved that pursuant to CS-22-34 staff proceed with storage of the softball items such as bases and pitching machines at existing Lakeview Park storage facilities.

#### **CS-22-35 - Oshawa Declares 2022 as the Year of the Garden and Commits to be a Garden Friendly City (All Wards)**

Whereas correspondence CS-21-128, from the Oshawa Garden Club was considered at the Community Services Committee meeting on December 6, 2021; and,

Whereas on December 13, 2021 Oshawa City Council passed a motion:

"That the following be referred to staff for further investigation:

Whereas the City of Oshawa annually provides our citizens and visitors with prize-winning public gardens including winning several National Communities In Bloom awards; and,

Whereas, due to the pandemic, citizens of Oshawa are spending more personal time at home as opposed to traveling, and

Whereas spending active personal time outdoors is deemed to be beneficial to personal health; and,

Whereas many citizens take great pride in their personal residential gardens,

Therefore, be it resolved that based on Correspondence CS-21-128 from the Oshawa Garden Club:

1. The City of Oshawa seek status of a 'Garden Friendly City' to encourage even more residents to add to the beautification of our City; and,
2. That the City flower be changed from the Rose to the Peony; and
3. That notwithstanding the current proclamation policy, that the City of Oshawa declare 2022 as the Year of the Garden."

Whereas public consultation on part 2, the changing of the City flower from the Rose to the Peony is underway and staff will report back in May 2022; and,

Whereas Communities in Bloom and "Fleurons du Québec" in collaboration with the Canadian Garden Council, invite all municipalities to celebrate the Year of the Garden 2022; and,

Whereas the Year of the Garden 2022 celebrates the Centennial of Canada's horticulture sector; and,

Whereas the Year of the Garden 2022 will highlight and celebrate the important contribution of gardeners, our local gardening organizations, horticultural professionals and local horticultural businesses which contribute to garden culture; and,

Whereas gardens and gardening contribute to the quality of life of our municipality, our climate action goals and create safe and healthy places where people can come together in the spirit of inclusivity and reconciliation; and,

Whereas gardens and gardening have helped the citizens of the City of Oshawa face the challenges of the COVID-19 pandemic; and,

Whereas the City of Oshawa is committed to be a Garden Friendly City supporting the development of its garden culture and is proud to present the award winning 18<sup>th</sup> annual Peony Festival; and,

Therefore be it resolved that notwithstanding the current proclamation policy, City Council declares the City of Oshawa a Garden Friendly City and also declares 2022 as the Year of the Garden in the City of Oshawa, in celebration of the contribution of gardens and gardening to the development of the City of Oshawa and the lives of our citizens.

### **CS-22-37 - Accessible Public Use of Clubhouse Washrooms in City-owned Parks that are Being Redeveloped (All Wards)**

Whereas on February 22, 2022, City Council referred CS-22-09 being the Eighth Report of the Oshawa Accessibility Advisory Committee to staff to consult with the Oshawa Central Council of Neighbourhood Associations (O.C.C.N.A.) for accessible public use of clubhouse washrooms in City-owned parks that are being redeveloped; and,

Whereas the City of Oshawa has a lease with the O.C.C.N.A. that identifies O.C.C.N.A. as the owner of the buildings; and,

Whereas staff met with the O.C.C.N.A. President to discuss the opportunity; and,

Whereas the O.C.C.N.A. President brought the item to the O.C.C.N.A. Executive Committee for consideration; and,

Whereas the O.C.C.N.A. Executive Committee declined the request due to a lack of volunteers to provide access to and to supervise use of the facilities; the liability risk associated with unsupervised use of the facilities; the potential for damage, theft and/or vandalism to the facilities; as well as the additional costs that would be incurred for cleaning and washroom supplies that would not be recovered; and,

Whereas the clubhouse washrooms are not accessible via an exterior door that separates their use from the remainder of the facility;

Therefore be it resolved that pursuant to CS-22-37 this consultation with O.C.C.N.A. for accessible public use of clubhouse washrooms in City-owned parks that are being redeveloped be received as information.

### **CS-22-38 - Petition for a 3-Way Stop Control at the Intersection of Verdun Road and Vimy Avenue (Ward 4)**

1. That a 40km/h zone be implemented on Verdun Road between Eulalie Avenue and Olive Avenue; and,
2. That radar message boards be deployed along the same part of Verdun Road shortly after the implementation of 40km/h and vehicle speeds be tracked; and,
3. That radar message boards be again deployed after 6 months along with vehicle speed tracking; and,
4. That communication be sent to residents in the same area that thanks them for bringing their neighbourhood safety concerns to the City's attention, explains the current approach being taken to manage and monitor the concerns and its rationale, and that the process will include a future assessment of the results to determine if it is having the desired impact; and,
5. That results be reported back to Community Services Committee at a date after the six month check-in that compares the data sets from the initial report and the two periods measured after the implementation of a 40km/h limit, and that the same be communicated to residents at that time.

**CS-22-42 - Various Resident's submitting Comments in Support of the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

That Correspondence CS-22-42 concerning Various Resident's submitting Comments in Support of the Community Assisted Meal Program (C.A.M.P.) be received for information.

**CS-22-47 - Reduction of Speed on Monaghan Avenue and Limerick Street (Ward 4)**

Whereas residents have expressed concerns about the speed of traffic on Monaghan Avenue and Limerick Street; and,

Whereas the residents feel that drivers are using Monaghan Avenue and Limerick Street as a by-pass route to avoid delays at the traffic signals located at the intersection of Gibb Street and Thornton Road; and,

Whereas both Monaghan Avenue and Limerick Street are classified as local residential streets with a speed limit of 50 km/h and a sidewalk on one side of the street;

Therefore, be it resolved, the speed limit be reduced to 40 km/h on Monaghan Avenue and Limerick Street to address the traffic related concerns expressed by the residents.

**CS-22-44 - Third Report of the Oshawa Environmental Advisory Committee (All Wards)**

That based on Report CS-22-44 being the Third Report of the Oshawa Environmental Advisory Committee concerning the use of Road Salt, the City of Oshawa investigate the recommendations contained in the Report regarding the reduction of the use of road salt in the City and that staff report back on the various recommendations at intervals that allow for various items to be responded to as staff feedback is prepared.

**Report of the Corporate Services Committee**

**CORP-22-20 - City-Initiated Technical Amendments to Property Standards By-law 1-2002 (All Wards)**

Whereas the City's Property Standards By-law 1-2002, as amended ("Property Standards By-law") establishes minimum standards for the maintenance and occupancy of property within the City of Oshawa; and,

Whereas staff regularly review by-laws to identify opportunities for enhancements; and,

Whereas staff have identified a need to enhance wording for the issuance of Administrative Monetary Penalties for non-compliance with standards as established in the Property Standards By-law as well as failing to comply with a Property Standards Order issues pursuant to Section 15.2(2) of Building Code Act, 1992, S.O. 1992, c.23; and,

Whereas staff have similarly identified a need to address the numbering system of certain sections to align with the numbering system as detailed in Section 1.9.1 of the By-law and remove a reference to "Schedule "D" of General Fees and Charges By-law 13-2003 in Section 1.19.1;

Therefore be it resolved that Council approve a by-law to amend the Property Standards By-law 1-2002, as amended, to implement technical amendments as outlined in Attachment 1 to CORP-22-20 'City-Initiated Technical Amendments to Property Standards By-law 1-2002', dated April 11, 2022, in



a form and content acceptable to the Commissioner, Corporate Services Department and Legal Services.

**CORP-22-22 - Vacancy on the Oshawa Public Library Board (All Wards)**

That in accordance with Report CORP-22-22 dated April 6, 2022 concerning the one vacancy on the Oshawa Public Library Board, the applicant listed in Confidential Attachment 1 be appointed to the respective Board for the term ending November 14, 2022 or until a successor is appointed.

**CORP-22-25 - City-Initiated Technical Amendments: Standardizing Methods of Service (All Wards)**

Whereas City by-laws prescribe methods of service which establish means in which documents (e.g. notices, orders, licence decisions, etc.) may be deemed served to a person; and,

Whereas documents are generally deemed to have been served by any of the following methods of service: when a copy is delivered to the person to whom the document is addressed, on the third (3rd) day following the date of mailing by regular letter mail or by registered mail, by facsimile transmission, by e-mail transmission, or by posting a copy at or on the person's property; and,

Whereas staff regularly review by-laws to ensure that they are effective and efficient; and  
Whereas staff identified a need to establish consistency, increase service options by developing standardized methods of service in various by-laws established pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended including:

- Boulevard By-law 136-2006
- Business Licensing By-law 120-2005
- Dust and Mud Control By-law 64-2020
- Fence and Sight Triangle By-law 23-2014
- Fortification By-law 103-2005
- Fouling of Highways By-law 65-2020
- Lot Maintenance By-law 127-2007
- Lottery Licensing By-law 135-2008
- Nuisance By-law 65-2009
- Pool Enclosure By-law 79-2006
- Responsible Pet Owners By-law 14-2010
- Unauthorized Parking By-law 97-2009
- Waste By-law 113-2008; and,

Whereas in addition to standardizing methods of service, posting on vehicles as a method of service should be included in Business Licensing By-law 120-2005, Fouling of Highways By-law 65-2020,

Responsible Pet Owners By-law 14-2010, Unauthorized Parking By-law 97-2009 as such by-laws include standards applicable to vehicles;

Therefore be it resolved that Council approve a by-law in a form and content acceptable to the Commissioner, Corporate Services Department and Legal Services to standardize methods of service as outlined in Attachment 1 to CORP-22-25 'City Initiated Technical Amendments: Standardizing Methods of Service', dated April 11, 2022, to amend the Boulevard By-law 136-2006, Business Licensing By-law 120-2005, Dust and Mud Control By-law 64-2020, Fence and Sight Triangle By-law 23-2014, Fortification By-law 103-2005, Fouling of Highways By-law 65-2020, Lot Maintenance By-law 127-2007, Lottery Licensing By-law 135-2008, Nuisance By-law 65-2009, Pool Enclosure By-law 79-2006, Responsible Pet Owners By-law 14-2010, Unauthorized Parking By-law 97-2009 and Waste By-law 113-2008.

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

#### **DS-22-78 - COVID-19 Economic Recovery Act, 2020 (Bill 197): Changes to the Planning Act Concerning Alternative Parkland Dedication Rates (All Wards)**

That, pursuant to Report DS-22-78 dated April 6, 2022, Development Services staff be authorized to advance the Recommended Work Plan as generally described in Section 5.2 of said Report to respond to the legislative requirements of Bill 197 and associated amendments to Section 42 of the Planning Act, R.S.O. 1990, c. P.13, as amended, concerning consultation on alternative parkland dedication rates and the passing of a new parkland dedication by-law containing alternative parkland dedication rates.

#### **DS-22-83 - City Comments on Proposed Amendments to the Planning Act Under Bill 109, the "More Homes For Everyone Act, 2022", and the Province's proposed Community Infrastructure and Housing Accelerator Guideline (All Wards)**

1. That Report DS-22-83 dated April 6, 2022, including Attachments 4 and 5, be endorsed as the City's comments on the Province's proposed amendments to the Planning Act under Bill 109, "More Homes For Everyone Act, 2022", and the Province's proposed Community Infrastructure and Housing Accelerator Guideline; and,
2. That staff be authorized to submit the comments contained in Report DS-22-83 dated April 6, 2022 relating to the proposed amendments to the Planning Act under Bill 109 and the proposed Community Infrastructure and Housing Accelerator Guideline in response to the associated proposals posted on the Environmental Registry of Ontario website; and,
3. That staff be authorized to forward a copy of Report DS-22-83 dated April 6, 2022 and the related Council resolution to the Association of Municipalities of Ontario, Ontario's Big City Mayors, the Region of Durham, Durham area municipalities, Durham area M.P.P.s and the City's Building Industry Liaison Team, which includes the Durham Chapter of the Building Industry and Land Development Association and the Durham Region Home Builders' Association.

#### **DS-22-77 - Midtown Mall Pedestrian Bridge over Oshawa Creek (Ward 4)**

That the Midtown Mall Pedestrian bridge over Oshawa Creek be added to a list of projects that could be candidates for improved accessibility and active transportation grant projects.

## **Report of the Finance Committee**

### **FIN-22-38 - Corporate Payments for the Month of March 2022 (All Wards)**

That Report FIN-22-38 dated April 13, 2022 concerning the corporate payments for the month of March 2022 be received for information.

### **FIN-22-39 - Community Benefit Charge Feasibility Assessment (All Wards)**

That pursuant to FIN-22-39, dated April 13, 2022 Community Benefit Charge Feasibility Assessment, staff engage Watson & Associates Economists Ltd. to prepare the Community Benefit Charge Strategy and report back to the Finance Committee.

### **FIN-22-45- Durham Deaf Services - One-time Grant Request (All Wards)**

Whereas Durham Deaf Services as a non-profit organization has provided services and educational programs to promote self-reliance within the deaf community of Oshawa and the rest of Durham; and,

Whereas the Finance Committee at its meeting held on February 14, 2022 received correspondence from Durham Deaf Services, dated February 6, 2022, which was referred to staff; and,

Whereas Durham Deaf Services has expressed significant concerns related to their finances and the future viability of operating the services offered to the community; and

Whereas a one-time grant in the amount of \$25,000 would allow Durham Deaf Services to fund programs and embark on an aggressive fundraising campaign for 2022; and,

Whereas City Council approved the 2022 operating and capital budgets on December 3, 2021 which included a number of grants to community groups; and,

Whereas an application for funding in the 2022 budget was not received prior to approval of the 2022 operating budget and Durham Deaf Services was not awarded funding from the City for 2022; and,

Whereas in October 2021 City Council approved an updated grant program through FIN-21-102 which includes a number of categories to support various community organizations who meet the eligibility criteria through the application process,

Therefore be it resolved that Durham Deaf Services be advised to submit an application to the City's grant process for the 2023 budget cycle.

### **FIN-22-46 - Supply and Delivery of Pumper Truck (All Wards)**

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

Whereas, Council approved the award of one pumper truck through Report FIN-20-44 on September 28, 2020 to Darch Fire Inc.; and,

Whereas, Council approved the single source of the 2021 pumper truck through Report FIN-21-03 on January 25, 2021 to Darch Fire Inc.; and,

Whereas, Council approved funding for the procurement of a pumper truck in the 2022 Capital Budget, project 22-13-0056 Corporate Fleet Acquisition in the amount of \$930,000 including non-rebateable H.S.T.; and,

Whereas, it is administratively practical, creates standardization, and is cost effective to single source the 2022 pumper truck to Darch Fire Inc.; and,

Whereas, the quote received from Darch Fire Inc. in the amount of \$925,064 plus H.S.T. (\$941,345 including the non-rebateable H.S.T.); and,

Whereas, there is a funding shortfall of \$11,345 including non-rebateable H.S.T.; and,

Whereas Finance Services has confirmed that the additional cost of \$11,345, including non-rebateable H.S.T. can be funded from the City Equipment Reserve;

Therefore, be it resolved that Council:

1. Approve the additional funding of \$11,345 including non-rebateable H.S.T. to be funded from the City Equipment Reserve and authorize the Manager, Procurement and Accounts Payable to award a single source contract to Darch Fire Inc. not to exceed \$941,345 including non-rebateable H.S.T. for one pumper truck; and further,
2. That in order to accommodate the current 24 month lead time for pumper trucks, the Manager, Procurement and Accounts Payable be authorized to single source to Darch Fire Inc. for any additional pumper trucks approved by Council in the 2023 or 2024 capital budget.

#### **FIN-22-47 - Contract Award - O22-06 Darcy Street Culvert Replacement (Ward 2)**

Whereas, the Purchasing By-Law 80-2020 requires Council approval to award contracts greater than \$2,000,000 and that exceed the approved budget; and,

Whereas, Council has approved funding for Project 71-0044 Darcy Street Culvert Replacement in the amount of \$2,954,117 including non-rebateable H.S.T.; and,

Whereas, \$172,200 has already been committed to the project for Consulting Services; and,

Whereas, Procurement issued a Request for Tender (R.F.T.) O22-06 for Darcy Street Culvert Replacement; and,

Whereas, five (5) bids were received and opened by Procurement on March 28, 2022; and,

Whereas, bid prices have increased due to current market trends, shortages, utility costs, and O. Reg. 406/19 regarding on-site and excess soil management; and,

Whereas, Bids received are publically posted on the City website at Oshawa's Bids and Tenders; and,

Whereas, the bid received from 614128 Ontario Ltd o/a Trisan Construction in the amount of \$3,036,619 plus H.S.T. (\$3,090,064 including non-rebateable H.S.T.) meets the requirements of the tender; and,

Whereas, a 10% contingency is required in the amount of \$309,000 including non-rebateable H.S.T.; and,

Whereas, it is anticipated the Region of Durham will contribute \$146,530 including non-rebateable H.S.T. for their portion of the work; and,

Whereas, there is a funding shortfall of \$470,700 including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$470,700 can be funded from the Canada Community Building Fund (previously Federal Gas Tax) from the surplus funds in projects 18-71-0014 Mayfair Avenue Culvert and 19-74-0041 Asphalt Preservation and Rehab;

Therefore, be it resolved that Council approve the additional funding of \$470,700 to be funded from the Canada Community Building Fund (previously Federal Gas Tax) and authorize the Manager, Procurement and Accounts Payable to award a contract to 614128 Ontario Ltd o/a Trisan Construction in the amount of \$3,036,619 plus H.S.T. for O22-06 Darcy Street Culvert Replacement.

#### **FIN-22-48 - Decorative Lighting and Event Permit Fees in Downtown Oshawa (Ward 4)**

Whereas the City received a letter, dated March 23, 2022 (Attachment 1) from Downtown Oshawa Business Alliance (DOBA) requesting that the City of Oshawa take immediate action to enhance lighting in the downtown core; and,

Whereas the letter also cites that improved lighting has been shown to reduce criminal activity, as well as create a more inviting environment by adding character and ambiance to main streets; and,

Whereas in late 2021, City staff applied for Main Street Community Activator Grant for a downtown lighting program but the application was unsuccessful; and,

Whereas as part of the grant application process an informal quote was received that estimated the total cost of lighting approximately 180 poles to be in the range of \$250,000 to \$350,000 depending on the type of light selected; and,

Whereas a seasonal lighting program would also further enhance a welcoming environment for visitors to the downtown core; and,

Whereas a lighting program for the downtown core would need to be bid through a competitive process in accordance with the Purchasing By-law 80-2020; and,

Whereas, through FIN-21-98, Council authorized pre-budget approval for project 21-0015 (Downtown Streetscape Redevelopment) in the 2022 capital budget, in the amount of \$700,000 and that staff apply to the Canada Community Revitalization Fund for a possible grant up to \$525,000; and,

Whereas on March 31, 2022 the City received a confirmation that the application was successful and would be receiving approved funding of \$525,000; and,

Whereas the funding that had been set aside for project 21-0015 in the Downtown Revitalization Reserve and the Civic Property Development Reserve is no longer committed due to the receipt of the grant funding and could be repurposed to implement a lighting program in the downtown core; and,

Whereas lighting programs and products have become increasingly sought after as a mode of downtown revitalization; and,

Whereas the enhanced demand for the product will require early engagement with suppliers to ensure the product can be sourced in a timely fashion to execute the program; and,

Whereas the letter from DOBA also included a request to waive event permit fees between May 2022 and December 2022 for events that are being planned in the Urban Growth Centre boundaries; and,

Whereas the City has a formal policy and procedure for requests for Waiving of Fees for registered Oshawa-based not-for-profit community organizations or groups; and,  
Whereas the City's Waiving of Fees procedure is currently receiving applications for Intake 2 with a Deadline of June 1, 2022;

Therefore be it resolved:

1. That City staff be directed to implement a lighting program for the downtown core with an upset spending limit of \$525,000 (including non-rebateable H.S.T.) from the Civic Property Development Reserve that includes:
  - a. A decorative lighting program that offers an all-year round illumination on approximately 180 street light poles; and,
  - b. A holiday decorative lighting program that would introduce new holiday features to City Hall and Memorial Park; and,
2. That City staff advise DOBA regarding the formal process and council-approved criteria for the application to waive fees.

**Staff Reports/Motions**

None

**Public Discussion Agenda**

**Matters Excluded from Consent Agenda**

**Adoption of Council Minutes**

Consent Motion:

That the minutes of the City Council meeting held on March 28, 2022 be adopted.

Motion Carried

**CS-22-36 - Selection of the Community Legend Award Recipient (All Wards)**

Consent Motion:

Whereas every year nominations are accepted for the Community Legends Award to annually celebrate the accomplishments of an "Oshawa Community Legend"; and,

Whereas a Community Legend is a person and or an organization/group who contributes to improving the quality of life or has made a significant impact on the Oshawa Community through Arts and Culture, Sport, or community initiative; and,

Whereas nominations are reviewed once per year by a selection Committee comprising of the Commissioner of Community Services and the Community Services Committee as per the June 10, 2008 Council directive; and,

Whereas the City of Oshawa like all communities has since March 2020 experienced the challenges and sacrifices associated with the world wide Coronavirus (COVID-19) pandemic and will continue to experience challenges and sacrifices; and,

Whereas community members have experienced physical, mental, social and financial impacts during these unprecedented times; and,

Whereas the City of Oshawa's residents, workers, volunteers, community groups, businesses, and institutions in the private and public sectors have risen to the challenges of the world wide pandemic and have contributed in many ways both as individuals and organizations to support the health, safety and well-being of the community and we thank them for their efforts; and,

Whereas it is important that we find ways to ensure that future generations are made aware of this historic period of our lives;

Therefore it be resolved that our entire community of residents, workers, volunteers, community groups, businesses, and institutions in both the public and private sectors of the great City of Oshawa be recognized as Community Legends:

1. For their resiliency, support, compassion, kindness, dedication and sacrifices during these unprecedented times related to the pandemic; and,
2. For their efforts and contributions to control, contain and manage the Coronavirus (COVID-19);
3. For all their contributions made to support the health, safety and well-being of our community during the pandemic.

The vote to adopt the recommendation contained in Item CS-22-36.

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)

**CS-22-39 - Raymond Bond requesting a Road Occupancy Permit for the Community Assisted Meal Program (C.A.M.P.) (All Wards)**

Consent Motion:

That based on Correspondence CS-22-39 from Raymond Bond, the request for a new Road Occupancy Permit for the Community Assisted Meal Program/Durham Dignity for the Homeless be denied.

The vote to adopt the recommendation contained in Item CS-22-39.

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

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

Motion Carried (7 to 4)

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess for five minutes.

The meeting recessed at 11:20 a.m. and reconvened at 11:30 a.m. with all members of Council present.

Motion Carried

**CS-22-41 - Oshawa Power and Utilities Corporation requesting an updated collaboration request to facilitate Transportation Innovation Opportunities (All Wards)**

Consent Motion:

Whereas on September 28, 2020 City Council approved a request from Oshawa Power and Utilities Corporation (O.P.U.C.) to install electric vehicle (ev) charging equipment adjacent to three on-street parking spaces in the downtown and in four City-owned parking lots; and,

Whereas the OPUC is not advancing, at this time, the installation of the ev charging equipment in the parking lots but would like to provide ev charging equipment adjacent to additional on-street parking spaces in the downtown; and,

Whereas by letter dated April 6, 2022 the OPUC has requested approval to install additional ev charging equipment adjacent to on-street parking spaces in the following locations:

1. One additional space at 100 Simcoe Street South for a total of two spaces near the OPUC office. Council already approved one space in 2020.
2. Two parking spaces at 40 King Street West along the north side of King Street West just west of Prince Street.
3. Two parking spaces at 2 Simcoe Street South along the south side of King Street West just west of Simcoe Street South.
4. Two parking spaces at 45 King Street East near the Biltmore and Salvation Army Store; and,

Whereas the request for ev charging spaces along King Street is not supported given future conflicts with various initiatives such as the extension of bus rapid transit (BRT) service to the downtown or the widening of the sidewalk along the north side of King Street West related to downtown streetscape



improvements and given the desire to disperse the ev charging spaces throughout the downtown;  
and,

Whereas it is important to support ev charging equipment given the existing and anticipated increased demand for such a service; and,

Therefore be it resolved:

1. That pursuant to Correspondence CS-22-41 dated April 6, 2022, Council approves the request from the OPUC to provide one additional electric vehicle charging space for a total of two spaces on Simcoe Street South adjacent to 100 Simcoe Street South; and,
2. That Council denies the request from the OPUC to provide six electric vehicle charging spaces along King Street; and,
3. That given the importance of investing in electric vehicle charging infrastructure in the downtown the two Ward 4 councillors be authorized to approve alternative locations for six other electric vehicle charging spaces in the downtown and work with the OPUC and City staff to identify those locations; and,
4. That Community Services staff provide a report to the Community Services Committee in the 4th Quarter 2023 on the results of this initiative addressing such matters as the amount of use of the electric vehicle charging spaces, a cost/benefit analysis and any enforcement concerns/complaints and that the report include input from the OPUC and affected downtown property owners, residents and businesses near the spaces.

Councillor Gray temporarily left the meeting at 11:39 a.m.

**Amendment:** Moved by Councillor Giberson

Seconded by Councillor Kerr

That Part 1 of the motion be amended to add the following at the end, 'and two electric vehicle charger spaces each on the north side of King Street West to the west of Prince Street and on the south side of King Street East to the west of Albert Street'.

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

Negative (1): Councillor McConkey

Absent (1): Councillor Gray

Motion Carried (9 to 1)

Moved by Councillor Giberson

Seconded by Councillor Kerr

That Part 2 of the motion be amended to replace the word 'six' with the word 'two' and add the following at the end, 'West at the corner of Simcoe Street'.

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

Absent (1): Councillor Gray

Motion Carried (10 to 0)

Moved by Councillor Giberson  
Seconded by Councillor Kerr

That Part 3 of the motion be amended to change the word 'six' to the word 'two' and to add the following at the end, 'in the vicinity of the intersection of Bond Street and Simcoe Street'.

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

Absent (1): Councillor Gray

Motion Carried (10 to 0)

That the following be added as a new Part 4 and the remaining part renumbered:

“4. That City staff work with the OPUC and City staff to identify those locations, and that additional costs due to infrastructure upgrade requirements be approved up to \$25,000 and that the amount be funded from the Downtown Revitalization Reserve Account;”

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

Absent (1): Councillor Gray

Motion Carried (10 to 0)

The vote to adopt the recommendation contained in Item CS-22-41 as amended.

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

Absent (1): Councillor Gray

Motion Carried (10 to 0)

**CORP-22-23 - Notice of Motion - Investigate process to initiate a new City Slogan (All Wards)**

Consent Motion:

That CORP-22-23 being a Notice of Motion concerning an investigation process to initiate a new City Slogan be received for information.

Moved by Councillor Giberson  
Seconded by Councillor Marks

That the item be referred to staff to report back at the beginning of the next term of Council in time for the 2023 budget on a process to retire the slogan, 'Prepare to be Amazed' for Council's consideration.

**Amendment:** Moved by Councillor Nicholson  
Seconded by Councillor McConkey

That the amendment be amended to replace the words 'staff to report back at the beginning of the next term of Council' with the words, 'the first regular Council meeting of the next term of Council'.

Motion Carried

The vote to refer the item as amended.

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

Absent (1): Councillor Gray

Motion Carried (10 to 0)

**DS-22-76 - Durham Region's Municipal Comprehensive Review: City Comments on the Region of Durham's Growth Management Study - Alternative Land Need Scenarios (All Wards)**

Councillor Gray reentered the meeting.

Consent Motion:

That pursuant to Report DS-22-76, dated April 6, 2022, City Council endorse Scenario 2A as submitted by the Columbus Developers Group as Item DS-22-90 as the City's recommended scenario on the Alternative Land Need Scenarios Report prepared by the Region of Durham as part of the Envision Durham the Municipal Comprehensive Review of the Durham Region Official Plan.

The vote to adopt the recommendation contained in Item DS-22-76.

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

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

Motion Carried (8 to 3)

Moved by Councillor Marimpietri  
Seconded by Councillor Marks

That the meeting recess for one hour.

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

Negative (2): Councillor McConkey, and Councillor Neal

Motion Carried (9 to 2)

The meeting recessed at 12:25 p.m. and reconvened at 1:25 p.m. with all members of Council present with the exception of Councillor Marimpietri (entered at 1:31 p.m.).

**FIN-22-36 - Contract Award – C2022-014 Harmony Creek Trail Extension Construction (Ward 1)**

Consent Motion:

Whereas, the Purchasing By-Law 80-2020 requires Council approval to award contracts that exceed the approved budget; and,

Whereas, on December 5, 2016, Council approved \$888,280, including non-rebateable H.S.T., for the design and construction of two pedestrian bridge crossings of the Harmony Creek at Coldstream Drive and the Delpark Homes Centre; and \$95,900 including non-rebateable H.S.T., to pave the existing granular trail adjacent Irvine Scott Street (DS-16-18); and,

Whereas, in 2017 Council approved Project 50-0012 in the amount of \$525,000, inclusive of H.S.T., for the construction of a new section of the Harmony Creek Trail between Coldstream Drive and the Delpark Homes Centre; and,

Whereas, \$220,253 has already been committed to the project for Consulting Services, permits, and Regional easement; and,

Whereas, Procurement issued a Request for Tender (R.F.T.) C2022-014 Harmony Creek Trail Extension Construction; and,

Whereas, six (6) bids were received and opened by Procurement on April 6, 2022; and,

Whereas, Bids received are publically posted on the City website at Oshawa's Bids and Tenders; and,

Whereas, during technical design, due diligence studies identified unforeseen site conditions increasing price and materials pricing has significantly increased due to current market trends, shortages, and increased demand; and,

Whereas, the bid received from Melfer Construction Inc., in the amount of \$1,838,217, excluding H.S.T. (\$1,870,570 including non-rebateable H.S.T.), was the lowest compliant bidder and meets the requirements of the tender; and,

Whereas, the provisional item for dewatering for structure excavation and fish rescue, in the amount of \$78,000 plus HST (\$79,373 including non-rebateable H.S.T.), is recommended by CIMA+ Canada, who is currently under contract with the City to provide consulting services for this project; and,

Whereas, CIMA+ Canada recommends carrying a 10% contingency in the amount of \$200,000, including non-rebateable H.S.T.; and,

Whereas, CIMA+ Canada has provided a quote of \$182,267 including non-rebateable H.S.T. to provide full time on-site construction inspection and construction contract administration; and,

Whereas, staff have advised that approximately \$40,704, including non-rebateable H.S.T., will be required for costs related to the trail easement acquisition, R-Plan registration and as built survey; and,

Whereas, there is a funding shortfall of \$1,083,987, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$1,084,000 can be funded from a combination of the Parks, Recreation and Trails Development Charges Reserve Fund and the Growth Related Non DC Reserve Fund;

Therefore, be it resolved that Council:

1. Authorize the Manager, Procurement and Accounts Payable to award a contract to Melfer Construction Inc. in the amount of \$1,838,217, excluding H.S.T. and provisional items in the amount of \$78,000 excluding H.S.T. for a total of \$1,916,217, excluding H.S.T. for Harmony Creek Trail Extension Construction; and,
2. Approve increasing CIMA+ Canada's contract amount by \$179,114 excluding H.S.T., to provide full-time construction inspection and contract administration for the Harmony Creek Trail Extension; and;
3. Approve the additional funding of \$1,084,000, inclusive of non-rebateable H.S.T., to be funded from a combination of the Parks, Recreation and Trails Development Charges Reserve Fund and the Growth Related Non DC Reserve Fund.

Councillor Marimpietri re-entered the meeting.

The vote to adopt the recommendation contained in Item FIN-22-36.

Motion Carried

### **FIN-22-37 - Final Tax Rates By-law (All Wards)**

Consent Motion:

That in accordance with Report FIN-22-37 dated April 13, 2022, the 2022 Final Tax Rates By-law providing for the billing and collection of the 2022 final tax levy for all property classes be approved.

The vote to adopt the recommendation contained in Item FIN-22-37 and pass related By-law 45-2022.

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

Negative (1): Councillor Neal

Motion Carried (10 to 1)

## **FIN-22-40 - Development Charges By-law 60-2019 Amendment (All Wards)**

Consent Motion:

Whereas, on September 18, 2020, the Province of Ontario proclaimed amendments made to the Development Charges Act in Bill 108, More Homes, More Choices Act, 2019 and Bill 197, COVID-19 Economic Act, which resulted in parking and animal control no longer being eligible services for Development Charges (D.C.'s) under the Development Charges Act (D.C.A.); and,

Whereas, the changes to the D.C.A. allowed for a two year transition period; and,

Whereas, the D.C.'s currently being collected for parking and animal control will not be eligible services as of September 18, 2022; and,

Whereas, staff have worked with Watson and Associates Economists Ltd. to revise the January 1, 2022 DC rates to reflect the removal of parking and animal control; and,

Whereas, the City Clerk and the City Solicitor have confirmed these are legislated changes so there is no need for a statutory public meeting as normally required under the Development Charges Act;

Therefore, it be resolved that as outlined in Report FIN-22-40, the City's D.C. by-law 60-2019 be amended to remove parking and animal control and the rates reflected in the attached schedule come into effect immediately upon Council approving the amending By-Law.

The vote to adopt the recommendation contained in Item FIN-22-40 and to pass related By-law 47-2022.

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

Negative (2): Councillor McConkey, and Councillor Neal

Motion Carried (9 to 2)

## **FIN-22-42 - Public Engagement Initiatives - 2023 Budget (All Wards)**

Consent Motion:

1. That public engagement for the 2023 City Budget, as proposed in Report FIN-22-42 "Public Engagement Initiatives – 2023 Budget", dated April 13, 2022, be approved in principle; and,
2. That the matter related to Public Consultation and Survey Process on the Finance Committee Outstanding Items list be considered complete and the item removed.

The vote to adopt the recommendation contained in Item FIN-22-42.

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

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

Motion Carried (8 to 3)

## **FIN-22-43 - 2023 Budget Timetable (All Wards)**

Consent Motion

That Report FIN-22-43, concerning the 2023 Budget Timeline, dated April 13, 2022, be approved.

The vote to adopt the recommendation contained in Item FIN-22-43.

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

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

Motion Carried (8 to 3)

## **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 April 25, 2022 be adopted as recommended except Report CNCL-22-32.

Motion Carried

## **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-22-74 - Proposed Licence Renewal between the City of Oshawa and Her Majesty the Queen in Right of Ontario for Continued Use of a Hydro Corridor abutting Everglades Park for Public Recreational Purposes (Ward 1)**

That pursuant to Closed Item DS-22-74 dated April 11, 2022, staff be authorized to execute a new Licence Renewal Agreement for the continued use of a portion of the Hydro corridor abutting Everglades Park generally consistent with the proposed agreement identified in Attachment 3 of said Resolution.

## **Report of the Finance Committee**

### **FIN-22-44 - South Oshawa Community Centre Roof Settlement (Ward 5)**

That Council approve the recommendation as outlined in Section 5.3 of Report FIN-22-44 South Oshawa Community Centre Roof Repair – Potential Settlement Offer dated April 13, 2022.

### **Closed Staff Reports/Motions**

See Matters Excluded from Consent Agenda.

### **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 consider Report CNCL-22-32 which is concerning litigation or potential litigation subject to solicitor-client privilege.

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)

The meeting recessed at 1:37 p.m. and reconvened at 1:43 p.m. in a session closed to the public with all members of Council participating from the Council Chamber with the exception of Councillor Neal who participated remotely.

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

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

Council entered closed session at 1:43 p.m.

Closed meeting discussions took place.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council rise from closed session and report.

Motion Carried

Council rose from closed session at 2:17 p.m.



## **Closed Report**

Councillor Neal who was participating remotely verbally affirmed he was alone.

Members of Council questioned the City Solicitor.

The City Solicitor responded to questions from Council.

A motion to amend the direction to staff contained in Report CNCL-22-32 was made. A sub-amendment providing further direction was also made.

The sub-amendment providing direction to staff was voted on in Closed session and Carried.

The amendment as amended providing direction to staff was voted on in Closed session and Carried.

This concludes the closed meeting summary.

## **CNCL-22-32 - Canadian Flight Academy – Status Update (Ward 2)**

Consent Motion:

That staff be authorized to proceed as directed in the recommendation contained in Section 5.4 of Report CNCL-22-32 dated April 20, 2022.

The vote to adopt the recommendation contained in Item CNCL-22-32 regarding the Canadian Flight Academy - Status Update as amended in Closed session.

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)

## **Items Requiring Action**

None

## **By-Laws**

The following by-laws were passed:

**39-2022 - A By-law to Amend Zoning By-law 60-94, as amended**

**40-2022 - A By-law to Designate the Property Located at 39 King Street East**

**41-2022 - A By-law to Amend Responsible Pet Owners By-law 14-2010, as amended**

**42-2022 - A By-law to Amend General Fees and Charges By-law 13-2003, as amended, Business Licensing By-law 120-2005, as amended and Vehicle-for-Hire By-law 31-2022, as amended**

**43- 2022 - A By-law to Amend By-laws 136-2006, 120-2005, 64-2020, 23-2014, 103-2005, 65-2020, 127-2007, 135-2008, 65-2009, 79-2006, 14-2010, 97-2009 and 113-2008, as amended**

**44-2022 - A By-law to Amend Property Standards By-law 1-2002, as amended**

## **47-2022 - A By-law to Further Amend Traffic By-law 79-99, as amended**

### **Matters Tabled**

None

### **Notices of Motion Previously Given**

Moved by Councillor Nicholson

Seconded by Councillor Gray

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).

Affirmative (6): Mayor Carter, Councillor Gray, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Negative (5): Councillor Chapman, Councillor Giberson, Councillor Hurst, Councillor Kerr, and Councillor McConkey

Motion Carried (6 to 5)

### **Notices of Motion**

#### **The following seven notices of motion are submitted by Councillor Nicholson:**

"That Section 25.2 of the City of Oshawa procedural bylaw be amended to add an addition to parts (c) and (d) and a new part (e) thus resulting in Section 25.2 reading as follows:

#### **25.2 Rules of Debate – Council Meetings**

a) No Member may speak to the same Motion for longer than five (5) minutes provided that the Member who moves the Motion may also speak to close debate for no longer than five (5) minutes.

b) The limit established by paragraph a) may only be extended by Motion which is not debatable or amendable.

c) A Member will not speak more than once regarding a Motion under debate, except: i) to move an amendment; or ii) to clarify the Motion or as allowed under (d) and (e).

d) A Member may ask a question of the previous speaker for explanation of the previous speaker's remarks. The previous speaker may speak in response for no longer than five (5) minutes. Neither the question nor answer shall be counted against the time limits outlined in (a).

e) A Member may ask a question of a member of staff for an explanation of policy, procedure or impact of a motion under consideration and the time used to question and receive answer from staff shall not be counted against the time limits outlined in (a); and,

That this notice of motion be referred to the Corporate Services Committee.”

And;

“That Section 25.3 of the City of Oshawa procedural bylaw be amended to add new parts (d) and (e) thus resulting in Section 25.2 reading as follows:

### 25.3 Rules of Debate – Committee Meetings

- a) At Committee no Member may speak to the same Motion more than ten (10) minutes on each occasion or for five (5) minutes in reply.
- b) The limit established by paragraph a) may only be extended by Motion which is not debatable or amendable.
- c) A Member may speak to a Motion more than once, but only after every Member has been given the opportunity to speak to the Motion.
- d) A Member may ask a question of the previous speaker for explanation of the previous speaker’s remarks. The previous speaker may speak in response for no longer than five (5) minutes. Neither the question nor answer shall be counted against the time limits outlined in (a).
- e) A Member may ask a question of a member of staff for an explanation of policy, procedure or impact of a motion under consideration and the time used to question and receive answer from staff shall not be counted against the time limits outlined in (a); and,

That this notice of motion be referred to the Corporate Services Committee.”

And;

“That Section 15, Additional Agenda Items, of the City of Oshawa Procedural Bylaw be amended to read as follows:

- a) All items to be added to published agenda must be submitted in writing to the City Clerk no later than 4:30 p.m. on the Tuesday prior to the regularly scheduled Council Meeting for printing on the Council Meeting Agenda. An additional agenda item received after the submission deadline that, in the determination of the Chair or the City Manager and in consultation with the Clerk, relates directly to a matter on the agenda, may be added to the published agenda with a Majority Vote and disposed of in the relevant agenda heading, following the items listed on the published agenda.
- b) An additional agenda item received after the submission deadline in part (a) that, in the determination of the Chair or the City Manager and in consultation with the Clerk, does not relate directly to a matter on the agenda but is time sensitive, may be added to the agenda with a Two-Thirds Majority Vote and disposed of in the relevant agenda heading, following the items listed on the published agenda.
- c) A Motion to add an item is not amendable or debatable
- d) Additional agenda items that do not receive sufficient support to be added to the agenda will be referred to the appropriate Standing Committee or next Council meeting for disposition
- e) That any item to be considered by Council as an additional agenda item must be provided to members of Council by no later than 24 hours prior to the start of the Council meeting; and,

That this notice of motion be referred to the Corporate Services Committee.”

And;

“That Section 2.1 Definitions of the City of Oshawa Procedural Bylaw be amended to add a further definition being

gg) “Speak” means a oral communication made by a Member to Council or a Standing Committee in debate of a motion but excluding an oral communication between a Member and a member of staff seeking an explanation of policy, procedure or impact of a motion under consideration, or an oral communication between a Member asking a question of the previous speaker for explanation of the previous speaker’s remarks; and,

That this notice of motion be referred to the Corporate Services Committee.”

And;

“That Section 14.2 of the City of Oshawa Procedural Bylaw be amended to add a new section (xiv) being a section to allow Members of Council to ask questions of staff, the Mayor or Chairs of the Standing Committees on areas of their respective jurisdictions or areas of authority without the need to move a motion for discussion.

And that the schedule of section 14.2 be as follows:

#### 14.2 Regular Council Meetings

a) The order of business for Regular Council Meetings is as follows:

##### Public Meeting

- i) National Anthem
- ii) Recognition of Indigenous Lands
- iii) Council Member announcements
- iv) Additional agenda items
- v) Declarations of pecuniary interest
- vi) Presentations
- vii) Delegations
- viii) Correspondence requiring Council action(s) or decision(s)

##### Public Consent Agenda

- ix) Correspondence providing recommendation(s)
- x) Adoption of Council Minutes
- xi) Standing Committee Reports
- xii) Other Staff Reports & Motions

##### Public Discussion Agenda

- xiii) Matters Excluded from Consent Agenda
- xiv) Members Questions
- xv) Recess

##### Closed Meeting

## Closed Consent Agenda

- xvi) Correspondence providing recommendations
- xvii) Standing Committee Reports
- xviii) Other Staff Reports & Motions

## Closed Discussion Agenda

- xix) Matters Excluded from Consent Agenda
- xx) Items requiring Council action(s) or decision(s)

## By-laws

### Matters Tabled

### Notices of Motion

### Confirming By-law

### Adjournment; and,

That this notice of motion be referred to the Corporate Services Committee”

And;

“That Section 14.3 of the City of Oshawa Procedural Bylaw be amended to add a new section (xiii) being a section to allow Members of Council to ask questions of staff, or Chair of the Standing Committee on areas of their respective jurisdictions or areas of authority without the need to move a motion for discussion.

And that the schedule of section 14.3 be as follows:

### 14.3 Regular Standing Committee Meetings

a) The order of business for Regular Standing Committee Meetings is as follows:

#### Public Meeting

- i) Additional Agenda Items
- ii) Declarations of pecuniary interest
- iii) Presentations
- iv) Delegations
- v) Correspondence requiring Committee action(s) or decision(s)
- vi) Referrals from Council and Committees
- vii) Reports from Advisory Committees
- viii) Staff Reports and Motions requiring Committee action(s) or decision(s)

#### Public Consent Agenda

- ix) Correspondence providing recommendation(s)
- x) Staff Reports and Motions providing recommendation(s)

Discussion Agenda

xi) Matters Excluded from Consent Agenda

xii) Items Introduced by Council Members

xiii) Members Questions; and,

That this notice of motion be referred to the Corporate Services Committee.”

And;

“Whereas the City of Oshawa has placed signage recognizing the historical hamlets of Raglan and Columbus; and,

Whereas the historical hamlets in Oshawa represent a key feature of the development of our City and that legacy should not be lost; and,

Whereas the historical hamlets of Cedar Dale and Southmead have no recognition and their legacy is in danger of being lost;

Be it resolved

That the City of Oshawa

1) investigate the feasibility of placing signage, similar to that provided for Raglan and Columbus, that will recognize the historical hamlets of Cedar Dale and Southmead, and

2) investigate funding opportunities to support the construction and placement, and

3) investigate potential locations on public lands or city boulevard for such signs; and,

That this notice of motion be referred to the Community Services Committee.”

**The following two notices of motion are submitted by Councillor Giberson:**

“Whereas the City of Oshawa has committed through our strategic plan, a Council declaration of climate emergency, and other initiatives to reduce our municipality’s carbon footprint; and,

Whereas the City of Oshawa has an investment portfolio that continues to be grown and diversified according to a prudent investment approach and already includes many fixed-income securities issued by government and other entities with high scores with various bond-rating agencies; and,

Whereas on March 22, 2022, the federal government issued its first sale of green bonds and an issuance of \$5 billion was sold in a short period and generated over \$11 billion in offers, and the global market for green bonds are expected to surpass \$1 trillion USD in 2022, demonstrating both the significant investor confidence in this form of security as a reliable, stable investment tool and as an effective means of financing capital projects by issuers; and,

Whereas investments in green bonds provide another tool for a municipality to lower its carbon footprint and support a carbon-reduced future for all by investing reserve dollars into financial instruments that will finance diverse green projects;

Therefore be it resolved that Oshawa City Council direct Finance Services staff to integrate the purchase of green bonds into the overall investment portfolio strategy based on prudent investment practices, with a target of 5% of the portfolio consisting of green bonds by 2025, and provide an update on progress with this specific initiative in the annual investment report to Council; and,

That this notice of motion be referred to the Finance Committee.”

And;

“Whereas current zoning regulations and development practices are restrictive of the inclusion or addition of many types of amenities into existing and future neighbourhoods, such as convenience stores, small grocery stores, coffee shops, small restaurants, and various service providers; and,

Whereas there are numerous examples throughout the City of Oshawa and other municipalities of small amenities located on edges of and within neighbourhoods that pre-date existing zoning restrictions, and these have maintained viability and utility to area residents while being suitably scaled to those neighbourhoods; and,

Whereas the City of Oshawa has embraced goals and objectives related to carbon emission reduction, active living, age-friendly, social equity, children- and youth-friendly, accessibility, healthier living, and community safety; and,

Whereas a lack of amenities close to where people live contributes to a greater volume of trips being made by single-passenger vehicle, increasing vehicle carbon and particulate emissions, road congestion, and speed concerns; and,

Whereas an increase in amenities close to where people live would contribute to greater individual and community health by divert trips from single-passenger vehicles to various forms of active transportation, and bring social benefits due to greater social connectivity and equity in neighbourhoods;

Therefore be it resolved that Development Services staff be directed to:

1. Prepare a roadmap to revise City zoning bylaws, regulations, and application requirements and fees in stages to reduce the number of restrictions in existing and future residential areas for amenities such as convenience stores, small grocery stores, coffee shops, small restaurants, and various service providers; and
2. Consult as early in the process as possible with the Oshawa Environmental Advisory Committee, the Oshawa Active Transportation Advisory Committee, and the Oshawa Accessibility Advisory Committee, to obtain input on this direction to further inform the process ahead, and to check in with the same committees once the process is further developed;
3. Consult with staff at the Region of Durham on this direction regarding ways to successfully align and implement between the two tiers of government; and,

That this notice of motion be referred to the Development Services Committee.”

**The following notice of motion is submitted by Councillor McConkey:**

“Whereas in the past there have been issues with the lack of public washrooms in the downtown;

Now therefore the City will ensure that public washrooms are available for use on the lower level at City Hall across from the Security desk, 24/7 starting May, 2022 and that the public is advised these washrooms are open for public use; and,

That this notice of motion be referred to the Corporate Services Committee.”

**Confirming By-Law**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

A by-law to confirm the City Council meeting of April 25, 2022.

Motion Carried

**Adjournment**

Moved by Councillor Kerr  
Seconded by Councillor Marks

That the meeting adjourn at 2:31 p.m.

---

Mayor

---

City Clerk