



Oshawa City Council - Special Meeting

Minutes

April 12, 2024, 1:30 p.m.
Council Chamber

Present: Mayor Carter
Councillor Chapman
Councillor Giberson
Councillor Gray
Councillor Kerr
Councillor Marimpietri
Councillor Marks
Councillor McConkey
Councillor Neal
Councillor Nicholson

Absent: Councillor Lee

Purpose

Mayor Carter advised purpose of this meeting is to provide a report to Council on the status and timing of proposed Development Charges policy changes.

All members of Council were participating from the Council Chamber except Councillor McConkey who was participating electronically and Councillor Lee who was absent.

Land Acknowledgement

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

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

We recognize that Oshawa is steeped in rich Indigenous history and is now present day home to many First Nations, Inuit and Métis people. We express gratitude for this

diverse group of Indigenous Peoples who continue to care for the land and shape and strengthen our community.

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

We are all Treaty people.

Additional Agenda Items

Moved by Councillor Chapman
Seconded by Councillor Giberson

That Correspondence CNCL-24-36 from Medallion Developments concerning non-statutory development charge exemptions for specific residential developments within designated areas be added to the agenda for the meeting of City Council on April 12, 2024 at 1:30 p.m. and referred to Report CNCL-24-34.

Carried

Declarations of Pecuniary Interest

None

Presentation

Watson & Associates Economists Ltd. - Development Charges Study

Nancy Neale, Watson & Associates Economists Ltd. provided a presentation concerning the purpose of the Development Charges Study, an overview of the methodology required to undertake a Development Charges and policies due to recent legislative changes and Council direction on proposed policy changes.

Members of Council questioned Nancy Neale.

Councillor Marks left the meeting at 2:11 p.m. during questions to the presenter.

Members of Council continued to question Nancy Neale.

Items Requiring Council Direction

CNCL-24-34 - Status and Policy Review for the 2024 Development Charges By-law Update (All Wards)

Moved by Councillor Chapman
Seconded by Councillor Giberson

1. That, pursuant to Report CNCL-24-34, dated April 4, 2024 concerning the draft proposed 2024 Development Charges By-law, Council select an option for each category as outlined in Sections 5.6.1, 5.6.2, 5.6.3, and 5.6.4 of this Report; and,
2. That the current non-statutory exemption for 1569 Simcoe Street North shown as Schedule “G” of Attachment 1, Development Charges By-law 60-2019 be removed as this project is complete; and,
3. That the current exemption for lands designated under federal law as land reserved for the exclusive use of aboriginal peoples be removed, given that the City’s Planning documents, including the Oshawa Official Plan, do not identify any such lands that would qualify for this exemption; and,
4. That a clause be added to exempt “change of use” permits considering industrial and commercial uses from D.C.’s when a building has been in existence for more than 20 years. This clause would need to be adjusted depending on the option chosen for the non-statutory industrial exemption. i.e. if a 5-year phase-in of the industrial rate is chosen, a 5-year ramp down for change of use would be implemented; and,
5. That the consideration of capital costs for Provincial Offences Act (P.O.A.) be implemented including By-law Enforcement Facilities, Vehicles and Equipment given that service definition amendments to the Development Charges Act allow for P.O.A. Services to be considered as an eligible development charge service; and,
6. That the D.C. demolition/conversion credit be revised from 10 years to 5 years; and,
7. That the definition of Agricultural be expanded to not exempt cannabis production; and
8. That the definition of Nursing Home defined in subsection 1(1) of the Nursing Homes Act, R.S.O. 1990, c N.7 which has been repealed be replaced with Long-term Care Home within the meaning of subsection 2(1) of the Fixing Long-Term Care Act, 2021; and,
9. That the definition of Stacked Townhouse be updated to add two (2) “or more” Townhouses high; and,
10. That the City’s Draft Local Service Policy, included as Attachment 3 to Report CNCL-24-34, be approved.

Amendment:

Moved by Councillor Giberson

Seconded by Councillor McConkey

That Pat 1 of the recommendation contained in Report CNCL-24-34 be amended to add: 'That based on Section 5.6.1, an industrial charge be phased-in over 3 years as follows:

- January 1, 2025: 33%
- January 1, 2026: 66%
- January 1, 2027: 100%.'

Affirmative (2): Councillor Giberson, and Councillor McConkey

Negative (7): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Marimpietri, Councillor Neal, and Councillor Nicholson

Absent (2): Councillor Lee, and Councillor Marks

Lost (2 to 7)

Amendment:

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

That Part 1 of the recommendation contained in Report CNCL-24-34 be amended to add: 'That based on Section 5.6.1, no change be made to the current policy for the non-statutory industrial exemption.'

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

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

Absent (2): Councillor Lee, and Councillor Marks

Carried (5 to 4)

Amendment:

Moved by Councillor Giberson

Seconded by Councillor Kerr

That Part 1 of the recommendation contained in Report CNCL-24-34 be amended to add: 'That based on Section 5.6.2., the Urban Growth Centre and Downtown Shoulder Area Exemptions be maintained; and,

That staff be directed to develop a project development timeline limitation policy on the Exemption for future Council review and approval.'

A request was made to divide the motion in order to vote on each part separately.

The vote on maintaining the Urban Growth Centre and Downtown Shoulder Exemptions as set out in Section 5.6.2 of Report CNCL-24-34.

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

Absent (2): Councillor Lee, and Councillor Marks

Carried (9 to 0)

The vote on directing staff to develop a project development timeline limitation policy related to Section 5.6.2 of Report CNCL-24-34.

Affirmative (7): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Marimpietri, Councillor McConkey, and Councillor Neal

Negative (2): Councillor Gray, and Councillor Nicholson

Absent (2): Councillor Lee, and Councillor Marks

Carried (7 to 2)

Moved by Councillor Giberson

Seconded by Councillor Kerr

That Part 1 of the recommendation contained in Report CNCL-24-34 be amended to add: 'That based on Section 5.6.4, the same non-statutory exemption be implemented for student housing apartment and townhouse dwellings (other than a street townhouse) for the shaded areas shown in Schedule D, Urban Growth Centre and Schedule F, Downtown Shoulder Area of Attachment 1, and that no other change be made to the current policy concerning non-statutory special area exemption.'

Carried

A request was made to divide the motion concerning Report CNCL-24-34, as amended in order to vote on Part 9 separately.

The vote on Parts 1 to 8 and Part 10 of the motion concerning Report CNCL-24-34, as amended.

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

Absent (2): Councillor Lee, and Councillor Marks

Carried (9 to 0)

The vote on Part 9 of the motion concerning Report CNCL-24-34.

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

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

Absent (2): Councillor Lee, and Councillor Marks

Carried (6 to 3)

Confirming By-law

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the confirming by-law be passed.

Carried

Adjournment

Moved by Councillor Chapman

Seconded by Councillor Kerr

That the meeting adjourn at 4:17 p.m.

Carried

Mayor

City Clerk