



Safety and Facilities Services Committee

Minutes

**April 15, 2024, 1:30 p.m.
Council Chamber**

Present: Councillor Kerr
Councillor Lee
Councillor Marks
Councillor McConkey
Mayor Carter

Absent: Councillor Nicholson

Also Present: F. Blanchet, Council-Committee Coordinator
A. Grant, Commissioner, Safety and Facilities Services
P. Lyon, Director, Municipal Law Enforcement and Licensing Services
R. Garey, Director, Facilities Management Services
M. Medeiros, Director, Legislative Services/City Clerk
S. Barkwell, Fire Chief
B. Varty, Manager, MLE Operations
S. Wouters, Manager, Capital and Technical Services
K. Man, Manager, Policy, Licensing and Business Services
D. Livesey, Senior Policy Advisor
J. Lane, Council-Committee Coordinator
K. Christopher, Council-Committee Coordinator

Public Meeting

Councillor Kerr called the meeting to order and stated that all members of the Committee were participating from the Chamber except Councillor Nicholson 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 Lee

That Correspondence SF-24-18 from Tony Trinidad concerning Report SF-24-16 regarding an update to questions related to the Link 3 Recreation Trail be added to the agenda for the Safety and Facilities Services Committee meeting of April 15, 2024 and be referred to the respective report.

Motion Carried

Declarations of Pecuniary Interest

None

Presentations

None

Delegations

Moved by Councillor Lee

That the delegation of Tony Trinidad be heard.

Motion Carried

Tony Trinidad - Report SF-24-16

Tony Trinidad addressed the Safety and Facilities Services Committee concerning Report SF-24-16 regarding an update to questions related to the Link 3 recreation trail.

The Committee questioned Tony Trinidad.

Referrals from Council

None

Reports from Advisory Committees

None

Items Requiring Direction

None

Public Consent Agenda

Moved by Councillor Lee

That all items listed under the heading of Public Consent Agenda for the April 15, 2024 Safety and Facilities Services Committee meeting be adopted as recommended except Reports SF-24-06, SF-24-11, SF-24-12 and SF-24-16.

Motion Carried

Correspondence with Recommendations

SF-24-14 - Adrienne Ellis Submitting Correspondence Concerning Construction Noise at 33 Richmond Street (Ward 4)

That the Safety and Facilities Services Committee recommend to City Council:

That Correspondence SF-24-14 dated April 9, 2024 from Adrienne Ellis submitting correspondence concerning construction noise at 33 Richmond Street be received for information.

SF-24-15 - Regional Municipality of Durham Submitting Correspondence in Support of Report SF-24-06 regarding a Review of Licensing By-law 120-2005 and Proposed Program Enhancements (All Wards)

That Correspondence SF-24-15 dated April 9, 2024 from R.J. Kyle, Commissioner and Medical Officer of Health, Regional Municipality of Durham submitting correspondence in support of Report SF-24-06 regarding a review of Licensing By-law 120-2005 and Proposed Program Enhancements be referred to Report SF-24-06.

Staff Reports/Motions with Recommendations

SF-24-13 - Technical Amendments to Two Unit Houses Registration By-law 41-2001 (All Wards)

That the Safety and Facilities Services Committee recommend to City Council:

Whereas the Two Unit Houses Registration By-law 41-2001, as amended ("Two-Unit House Registration By-law") is a by-law to require the registration of two-unit houses within the City of Oshawa ("City"); and,

Whereas staff regularly review the City's by-laws to identify opportunities to enhance municipal regulatory standards; and,

Whereas a review has identified an opportunity to implement the following amendments to the Two-Unit House Registration By-law:

- Increase the clarity of the Two-Unit House Registration By-law's enabling legislation by updating the by-law Recitals to reflect current statute law.
- Enhance existing enforcement tools by increasing fine amounts for offences that are charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33 to the following:

- A minimum fine of \$500 and a maximum fine not exceeding \$100,000; and,
- In the case of a continuing offence, for each day that the offence continues, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000; and,
- In the case of multiple offences, for each offence, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000.

Therefore be it resolved that Council approve a by-law in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to amend the Two Unit Houses Registration By-law 41-2001, as amended to increase clarity related to enabling legislation and to increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.

SF-24-17 - Communications Interoperability and Radio System Use Agreement (All Wards)

That the Safety and Facilities Services Committee recommend to City Council:

Whereas, in 2014, the Region of Durham, Durham Regional Police Service (DRPS) and all eight area municipalities in the Region entered into the Communications Interoperability and Radio System Use Agreement (“the Agreement”); and,

Whereas, the Agreement sets out the operation of the radio communication system (“NextGen”) within the Region by first responders, such as DRPS and local fire services; and,

Whereas, the Agreement sets out a steering committee comprised of members from DRPS, the Region and the area municipalities, which govern the operations of the NextGen system; and,

Whereas, several stakeholders are also members of the steering committee as non-voting members such as Ontario Power Generation, Emergency Medical Services and others; and,

Whereas, the steering committee is permitted to vote and add new non-voting members such as Durham College and Ontario Power Generation;

Whereas, in February 2023, the steering committee voted to add Elexicon Energy Inc. as a non-voting member of the committee and a party to the agreement;

Therefore be it resolved that the Mayor and City Clerk be authorized to sign the amending Communications Interoperability and Radio System Use Agreement to add Elexicon Energy Inc. as a non-voting member of the steering committee.

Public Discussion Agenda

Matters Excluded from Consent Agenda

SF-24-06 - Review of Licensing By-law 120-2005 and Proposed Program Enhancements (All Wards)

Moved by Councillor McConkey

That the Safety and Facilities Services Committee recommend to City Council:

That based on Report SF-24-06, dated March 13, 2024 concerning a review of Licensing By-law 120-2005 and Proposed Program Enhancements:

Council approve by-laws in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to establish a new Business Licensing By-law to regulate certain businesses in the City of Oshawa as detailed in Section 5.4 of this Report, to repeal By-law 120-2005, and to further amend General Fees and Charges By-law 13-2003, as amended to establish applicable licensing fees as detailed in Section 5.4 of this Report.

Motion Carried

SF-24-11 - Emergency Preparedness Week (All Wards)

Moved by Councillor McConkey

That the Safety and Facilities Services Committee recommend to City Council:

That Report SF-24-11 dated April 10, 2024 concerning Emergency Preparedness Week be received for information.

Motion Carried

SF-24-12 - Updated City Facilities Naming/Re-naming Policy (P4-301-001) (All Wards)

Moved by Councillor McConkey

That the Safety and Facilities Services Committee recommend to City Council:

That the updated City Facilities Naming/Re-naming Policy as set out in Attachment 1 to Report SF-24-12 dated April 10, 2024 be endorsed.

Amendment:

Moved by Councillor McConkey

That the word 'trails' be added to the updated City Facilities Naming/Re-naming Policy as set out in Attachment 1 to Report SF-24-12 so the policy applies to trails as well.

Motion Carried

The vote on the recommendation contained in Report SF-24-12, as amended.

Motion Carried

SF-24-16 - Update Regarding Questions Related to the Link 3 Recreation Trail (Ward 1)

Moved by Councillor Marks

That the Safety and Facilities Services Committee recommend to City Council:

That Report SF-24-16 dated April 10, 2024 concerning an update regarding questions related to the Link 3 Recreation Trail be received for information.

Affirmative (3): Councillor Kerr, Councillor Lee, and Mayor Carter

Negative (2): Councillor Marks, and Councillor McConkey

Absent (1): Councillor Nicholson

Motion Carried (3 to 2)

Items Introduced by Council Members

Councillor Lee assumed the Chair.

SF-24-19 - Review of Noise By-law 112-82, as amended, as it relates to Construction Noise (All Wards)

Moved by Councillor Kerr

That the Safety and Facilities Services Committee recommend to City Council:

Whereas the Noise By-law 112-82, as amended ("Noise By-law") regulates noises by prohibiting those that are likely to disturb the inhabitants of the City of Oshawa; and,

Whereas the Noise By-law exempts certain noises including those related to construction between 7:00 am and 7:00 pm Monday to Saturday and 9:00 am to 5:00 pm on Sundays, excluding Holidays; and,

Whereas the regulation of construction noises was last reviewed in 2013 in staff report CORP-13-169-CM; and,

Whereas there is a desire to further review regulations related to construction noises to ensure that the standards remain appropriate;

Therefore be it resolved that staff be directed to review Noise By-law 112-82, as amended, as it relates to construction noise.

Motion Carried

Councillor Kerr resumed the Chair

SF-24-20 - Service Oshawa and Municipal Law Enforcement Coverage when Fireworks are Permitted (All Wards)

Moved by Councillor McConkey

That the Safety and Facilities Services Committee recommend to City Council:

That the City increase Service Oshawa and Municipal By-law coverage intake and response times during the 48 hour period before and after the holiday times when fireworks are permitted in the City of Oshawa.

Moved by Mayor Carter

That Item SF-24-10 concerning increasing Service Oshawa and Municipal Law Enforcement coverage when fireworks are permitted be referred to the Mayor's budget for consideration.

Affirmative (4): Councillor Kerr, Councillor Lee, Councillor Marks, and Mayor Carter

Negative (1): Councillor McConkey

Absent (1): Councillor Nicholson

Motion Carried (4 to 1)

Items Pulled from the Information Package

None

Questions to Staff Concerning the Committee's Outstanding Items List

None

Closed Consent Agenda

Correspondence with Recommendations

None

Staff Reports/Motions with Recommendations

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

None

Items Requiring Direction

None

Matters Tabled

None

Adjournment

Moved by Councillor Marks

That the meeting adjourn at 3:10 p.m.

Motion Carried