



Safety and Facilities Services Committee

Minutes

**December 5, 2022, 1:30 p.m.
Council Chamber**

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

Also Present: Councillor Gray
Councillor Chapman
Councillor Marimpietri
Councillor Giberson
T. Adams, Chief Administrative Officer
L. Davis, Deputy City Clerk
J. Lane, Council-Committee Coordinator
F. Bianchet, Council-Committee Coordinator
R. Rossetti, Council-Committee Coordinator
K. Alexander, Director, Facilities Management
D. Clark, Fire Chief
P. Lyon, Director, Municipal Law Enforcement & Licensing Services
K. Man, Manager, Policy, Licensing & Business Services

Public Meeting

Additional Agenda Items

Moved by Councillor Kerr

That the delegation of Maxine Diedrich concerning SF-22-05 regarding the Hydro Corridor between Ritson Road North and Wilson Road be added to the Safety and Facilities Services Committee meeting of December 5, 2022.

Motion Carried

Declarations of Pecuniary Interest

None

Presentations

None

Delegations

Moved by Councillor Kerr

That the delegations of Cathy Clarke and Maxine Diedrich be heard.

Motion Carried

Cathy Clarke - Hydro Corridor, East of Ritson Road North between Conlin Road East and Taunton Road East.

Cathy Clarke addressed the Safety and Facilities Services Committee concerning Notice of Motion SF-22-06 regarding secondary uses for recreational trails within the Hydro corridor.

The Committee questioned Cathy Clarke.

Maxine Diedrich - Hydro Corridor, East of Ritson Road North between Conlin Road East and Taunton Road East

Maxine Diedrich was not in attendance and did not address the Safety and Facilities Services Committee.

Correspondence Requiring Action

SF-22-03 - Correspondence Submitted by Durham Region Slow Pitch Association Requesting to Rename Lakefront West Park to Pavloff Park (Ward 5)

Moved by Councillor Kerr

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

That Correspondence SF-22-03 from the Durham Regional Slo-pitch Association requesting to rename Lakefront West Park to Pavloff Park be received for information.

Affirmative (5): Councillor Nicholson, Councillor Kerr, Jim Lee, Councillor Marks, and Mayor Carter

Negative (1): Councillor McConkey

Motion Carried (5 to 1)

SF-22-04 - Correspondence Submitted by Julian Oppenheimer Requesting a Splash Pad be Installed at Somerset Park (Ward 2)

Moved by Councillor Kerr

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

That Correspondence SF-22-04 from Julian Oppenheimer requesting a splashpad installation at Sommerset Park be referred to staff for consideration in a future budget.

Motion Carried

SF-22-01 - Correspondence Submitted by Cathy Clarke concerning a Recreational Trail within the Hydro Corridor, East of Ritson Road North between Conlin Road East and Taunton Road East. (Ward 1)

Moved by Councillor Kerr

That Correspondence SF-22-01 from Cathy Clarke and Correspondence SF-22-05 from Maxine Diedrich concerning a Hydro Corridor Recreation Trail be referred to Notice of Motion SF-22-06.

Motion Carried

Referrals from Council

SF-22-06 - Notice of Motion - Secondary Uses for Recreational Trails within the Hydro Corridor

Moved by Councillor Marks

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

Whereas Hydro One encourages hydro corridor secondary uses for recreational trails and have a licensing program to accommodate municipalities looking to improve the walkability and active appreciation of neighbourhoods; and,

Whereas the Hydro Corridor east of Ritson Road North, north of Taunton and Ormond for an approximate distance of 2km to Conlin Road connects 4 Parks, Everglades, Ritson Fields, Parkwood Meadows and Conlin Meadows Parks; and,

Whereas an off-road recreational trail in this Hydro Corridor was included in the City's Development Charges Act in 2019, to be completed in 2023, and has been included as a proposed trail in the City of Oshawa's 2014 Active Transportation Master Plan;

Now therefore the licensing of the Hydro One Corridor and design for the construction of a recreational trail be considered in a future Capital Budget.

Motion Carried

Reports from Advisory Committees

None

Reports Requiring Action

None

Public Consent Agenda

Councillor McConkey left the meeting.

Correspondence with Recommendations

None

Staff Reports/Motions with Recommendations

None

Public Discussion Agenda

Matters Excluded from Consent Agenda

Councillor Kerr assumed the Chair.

SF-22-02 - Proposed Snow and Ice Removal By-law Enforcement Approach (All Wards)

Moved by Councillor Nicholson

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

Whereas, snow and ice on sidewalks create hazards for pedestrians during the winter season; and,

Whereas, the City of Oshawa's ("the City") Snow and Ice Removal By-law 92-2009, as amended ("Snow and Ice Removal By-law"), requires every property owner to completely remove snow and ice on any sidewalk abutting their property; and,

Whereas, in response to numerous complaints received from pedestrians and residents with accessibility issues, Council directed staff to initiate a review of the City's Winter Maintenance Program; and,

Whereas, in 2013 a review of the City's Winter Maintenance Program was conducted and recommendations were made in part to increase the efficiency of the sidewalk snow clearing program, as well as to mitigate the City's risk associated with slips and falls on sidewalks; and,

Whereas, Council approved amendments to the Snow and Ice Removal By-law in 2016 (related to Report CS-16-09); and,

Whereas, a new enforcement approach for clearing snow and ice from sidewalks was established (CS-16-09), which included warnings, Administrative Monetary Penalties (A.M.P.s), a robust annual communications and advertising strategy, and cost recovery tools for the snow and ice clearing work provided by City resources; and,

Whereas, since 2016 staff have been undertaking an education-focused enforcement approach by issuing warning A.M.P.s to property owners in hopes that the combination of warning A.M.P.s, education, communication, and A.M.P.s, where necessary, would promote compliance; and,

Whereas, the City continues to receive numerous complaints from pedestrians and residents with accessibility issues despite previous communication initiatives around snow and ice clearing which have proven to be effective in raising awareness of property owner responsibilities; and,

Whereas, there is a concern that the continued education and issuance of warning A.M.P.s related to the Snow and Ice Removal By-law is not efficient as it adds costs to the City and, in some cases, may not deter repeat offenders; and

Whereas, it is now essential to transition from the education-focused enforcement approach to a penalties-based enforcement process by issuing A.M.P.s on the first contravention instead of warning A.M.P.s for the upcoming 2022-2023 winter season; and,

Whereas, the Snow and Ice Removal By-law was further amended in 2020 by By-law 81-2020 to introduce tiered and escalating A.M.P.s as an additional tool to encourage compliance and address repeat offenders;

Therefore be it resolved:

1. That staff be directed to discontinue the education-focused enforcement approach and instead adopt a penalties-based enforcement approach for property owners in violation of the Snow and Ice Removal By-law; and,
2. That property owners in violation of the Snow and Ice Removal By-law will continue to be responsible for all other applicable fees and charges, as established by General Fees and Charges By-law 13-2003, as amended; and,
3. That staff be directed to continue the robust annual communications and advertising strategy with a focus on educating property owners about their responsibilities and applicable penalties; and,
4. That the bylaw be renamed the Winter Access Bylaw; and,
5. That in the event that ice and snow are not cleared off the sidewalks adjacent to Industrial, Commercial and Multi-residential properties within the designated times in the bylaw, the City reserves the right to have the ice and snow removed at its discretion and without further notice with the cost of removal to be added to the annual property tax bill for those properties.

Affirmative (5): Councillor Nicholson, Councillor Kerr, Jim Lee, Councillor Marks, and Mayor Carter

Absent (1): Councillor McConkey

Motion Carried (5 to 0)

Councillor Nicholson resumed the Chair.

Items Introduced by Council Members

None

Items Pulled from the Information Package

SF-22-05 - Correspondence Received from Maxine Diedrich concerning the Hydro Corridor between Ritson Road North and Wilson Road (previously INFO-22-218)

(See Correspondence SF-22-01).

Questions to Staff Concerning the Committee's Outstanding Items List

None

Closed Consent Agenda

Correspondence with Recommendations

None

Closed 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 2:36 p.m.

Motion Carried