



City Council Meeting AGENDA

Monday, May 1, 2023, 9:30 a.m.
Council Chamber

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Pages

Public Meeting

National Anthem

Recognition of Indigenous Lands

The City of Oshawa sits on treaty land that is steeped in rich Indigenous history and is the present day home to many First Nations, Métis and Inuit peoples. We acknowledge that we live and work on land covered under the Williams Treaties, and the traditional territories of the Mississaugas of Scugog Island First Nation.

We acknowledge this land out of respect for the many Indigenous nations who have cared for the lands and waters from the beginning of time and still do so today. We extend our gratitude and appreciation for the opportunity to live and work on this territory.

We are committed to understanding the truth of our shared history, confronting our past and present, and building a better future together in true reconciliation.

Council Member Announcements

(As may be presented by Council Members)

Additional Agenda Items

(As may be presented at the meeting)

Declarations of Pecuniary Interest

(As may be presented by Council Members)

Presentations

None

Delegations

Joanne Ferguson - Item ED-23-65

Joanne Ferguson requesting to address City Council concerning Item ED-23-65 regarding revised applications to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

Items requiring Council Direction

None

Public Consent Agenda

Recommendation

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated May 1, 2023 be adopted as recommended.

Adoption of Council Minutes

Recommendation

That the minutes of the City Council meeting held on April 3, 2023 be adopted.

Correspondence with recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

The Community and Operations Services Committee respectfully reports and recommends to City Council its Fifth Report.

CO-23-23 - OEAC - Road Salt Working Group Report - April 2023 (Formerly OEAC-23-18) (All Wards)

Recommendation

1. That as outlined in Report CO-23-23 (OEAC-23-18), being OEAC's comments concerning the reduction in the use of road salt, the comments be endorsed; and,
2. That the Oshawa Environmental Advisory Committee approve the content and design of the road salt awareness postcard; and,
3. That the road salt awareness postcard be forwarded to the Corporate Communications Department for their review and approval.

CO-23-21 - Selection of the 2023 Oshawa Community Legends Award Recipient (All Wards)

Recommendation

1. That based on Report CO-23-21, dated April 19, 2023, concerning the Community Legends Award the second nomination in Attachment 2 be selected as the recipient of the

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Community Legends Award; and,

2. That the award be presented to the recipient at a future Council meeting in 2023.

CO-23-22 - Selection of the 2023 E.P. Taylor Windfields Farm Champion Award (All Wards)

Recommendation

1. That based on Report CO-23-22, dated April 19, 2023, concerning the E.P. Taylor Windfields Farm Champion Award the nominee outlined in Attachment 2 be selected as the recipient of the award and presented the E.P. Taylor Windfields Farm Champion Award at a future Council meeting in 2023; and,
2. That the next EP Taylor Windfields Farm Champion Award be awarded in 2026 and that future awards be selected and presented in the fourth year of each term of Council.

CO-23-16 - 40 km/h Signage along Ormond Drive between Coldstream Drive and Parkwood Meadow Park (Ward 1)

Recommendation

That based on Report CO-23-16, dated April 19, 2023 concerning 40 km/h Signage along Ormond Drive between Coldstream Drive and Parkwood Meadow Park, that the speed limit on Ormond Drive between Askew Court and Coldstream Drive (east intersection) be reduced to 40 km/h.

CO-23-17 - Tiger Tail Signage on Stop Sign Posts (All Wards)

Recommendation

1. That based on Report CO-23-17, dated April 19, 2023 concerning the Tiger Tail Signs on Stop Signs, signage not be installed below stop signs at intersections under the jurisdiction of the City of Oshawa and staff continue to monitor and follow the guidelines for intersection improvements as outlined in the Ontario Traffic Manual; and,
2. That City Staff continue to work with Durham Regional Police Service to target City intersections with reported issues by completing stop sign compliance enforcement.

CO-23-18 - Concerns about Insufficient Parking for Library Patrons at the Oshawa Public Library – McLaughlin Branch (Ward 4)

Recommendation

Whereas concerns have been raised by staff of the McLaughlin Branch Library regarding insufficient parking for library patrons in Parking Lot 50 which is located immediately west of the library building; and,

Whereas the library staff have requested 12 parking spaces to be

designated 2hr max paid parking to provide short term parking for library patrons; and,

Whereas Parking Lot 50 is currently set up for 66 spaces designated for City staff overflow parking, 41 spaces for hourly paid parking between the hours of 8:00am and 6:00pm, and one accessible parking space; and,

Whereas there has been a noticeable increase in customers paying for parking for the whole day in Parking Lot 50; and,

Whereas there has been a decrease in the use of the overflow employee parking spaces in Parking Lot 50 due to the hybrid working arrangements for certain working groups at City Hall; and,

Whereas 12 parking spaces in Parking Lot 50 could be changed from employee overflow parking spaces to two hour maximum paid parking spaces to short term parking for library patrons; and,

Therefore, be it resolved that 12 parking spaces in Parking Lot 50 be changed from employee overflow parking spaces to two hour maximum paid parking spaces.

CO-23-19 - Response to Correspondence CO-23-06 from various residents requesting an off leash dog park at Somerset Park (Ward 2)

Recommendation

Whereas at the February 13, 2023 meeting of the Community and Operations Services Committee, Correspondence CO-23-06, dated January 17, 2023, from various residents (3) requesting an off leash park at Somerset Park was referred to staff for a report; and,

Whereas the correspondence requests that Somerset Park be made off leash before 10:00 or 11:00 a.m.; and,

Whereas it is important that dog owners keep their dogs on leash so that parks and public spaces remain safe and enjoyable for everyone; and,

Whereas Municipal Law Enforcement Services has indicated that this park does have several historical complaints or issues related to off leash dogs; and,

Whereas dogs off leash outside of designated off leash areas are subject to enforcement under the Parks and Facilities By-law (By-law 83-2000) and the Responsible Pet Owners By-law (By-law 14-2010) due to the potential for conflict and safety concerns; and,

Whereas the desire for off leash areas need to be balanced with the safety and needs of other park users, park programming, environmental considerations, accessibility, and community support; and,

Whereas the City has developed “Guidelines for the Design and Placement of Off-Leash Areas” (“Guidelines”), appended as Attachment 1, which guides decision making process when considering suitability of off leash areas; and,

Whereas, Staff have reviewed the request from residents against the Guidelines and has identified the following concerns with designating Somerset Park for off leash use:

- lack of ability to control dogs running at large (no fencing) given the close proximity to a junior playground (ages 5-12), neighbouring properties, and walkways;
- the potential for conflict with other park users or adjacent property owners;
- the difficulty with enforcement and education especially where there is no clear fencing to delineate off leash use;
- the intended use of the park as passive recreational space that is inclusive to all users;
- the proximity of natural heritage features including woodlands and creeks which could be impacted by dogs running at large including the disturbance of wildlife, birds, vegetation, water quality and shoreline stability;
- the potential for increase in visitors using the park for off leash purposes beyond current park capacity; and,

Whereas, in addition to the concerns highlighted above, there has not been any consultation with the neighbourhood; and,

Whereas, Facility Management Services has confirmed that Somerset Park is not scheduled for Capital upgrade/redevelopment until the mid-2030's;

Therefore be it resolved that Report CO-23-19, dated April 19, 2023, be referred to Facility Management Services staff for consideration as part of any future redevelopment.

CO-23-20 - Update on South Patch/ Glen Street Community Garden and Pepper and Berry Patch Community Garden (Ward 4 and Ward 5)

Recommendation

1. That based on Report CO-23-20 dated April 19, 2023, the Glen Street Community Garden Committee be formed and assume the operations of the existing community garden as per the diagram in Attachment 4 located at Cordova Valley Park in accordance with this Report; and,

2. That the members of the Glen Street Community Garden Committee be recognized as volunteers of the City of Oshawa enabling the City to extend coverage under its Municipal Liability Insurance Policy; and,
3. That this report and Council resolution be sent to the Glen Street Community Garden Committee members to be incorporated into the garden policy and operating procedures.

CO-23-24 - Correspondence received from Arthur Murphy concerning automatic speed enforcement cameras on Columbus Road West (Formerly INFO-23-67) (Ward 1)

Recommendation

That Correspondence CO-23-24, dated March 8, 2023, concerning correspondence received from Arthur Murphy concerning automatic speed enforcement cameras on Columbus Road West be received for information.

Report of the Corporate and Finance Services Committee

The Corporate and Finance Services Committee respectfully reports and recommends to City Council its Sixth Report.

CF-23-33 - Dawn-Ann Catalano, Ontario Regiment (RCAC) submitting correspondence requesting 10 parking spaces for armoury members in Parking Lot #20 and options for parking in the adjacent City garages (Ward 4)

Recommendation

That Correspondence CF-23-33 from Dawn-Ann Catalano, Ontario Regiment (RCAC) submitting correspondence requesting 10 parking spaces for armoury members in Parking Lot #20 and options for parking in the adjacent City garages be referred to staff.

CF-23-24 - 2024 Budget Timelines (All Wards)

Recommendation

That Report CF-23-24 dated April 12, 2023 concerning the 2024 budget timeline be approved.

CF-23-25 - Public Engagement Initiatives - 2024 Budget (All Wards)

Recommendation

That Report CF-23-25 concerning public engagement initiatives for the 2024 budget be referred back to staff for a report.

CF-23-26 - Corporate Payments for the Months of January, February and March 2023 (All Wards)

Recommendation

That Report CF-23-26 concerning the corporate payments for the months of January, February and March 2023 be received for information.

CF-23-27 - Contract Award – C2022-119 Conlin Road East Design

(Wards 1 and 2)

Recommendation

Whereas, the Purchasing By-law, requires Council approval of Professional and Consulting Services contract awards greater than \$100,000 and that exceed the approved budget; and,

Whereas, Council has approved funding for Project 20-73-0485 in the amount of \$1,321,000; and,

Whereas, it is anticipated the Region of Durham will contribute a minimum of \$434,000 for their portion of the work; and,

Whereas, Procurement issued a Request for Proposal (R.F.P.) C2022-119 for Conlin Road East Design, and,

Whereas, the R.F.P. was separated into three parts: Part A Design and Final Tender Package, Part B-1 Assistance with Procurement, Evaluation and Engineering Services during construction, and Part B-2 Construction Inspections and Contract Administration; and,

Whereas, Procurement and Engineering Services are only awarding Part A Design and Final Tender Package; and,

Whereas, Part B-1 Assistance with Procurement, Evaluation and Engineering Services during construction, and Part B-2 Construction Inspections and Contract Administration will be budgeted in future capital; and,

Whereas, three (3) bids were received (publically posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on February 10, 2023; and,

Whereas, proposals were evaluated on corporate experience, proposal quality, project deliverables, technical response and cost; and,

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

Whereas, the proposal received from CIMA Canada Inc. in the amount of \$1,748,297, plus H.S.T. (\$1,779,067 including non-rebateable H.S.T.) for Part A Design and Final Tender Package; and,

Whereas, there is a funding shortfall of \$24,067, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$24,067 can be funded from the Roads

Development Charges Reserve Fund and the Growth Related Non-DC Reserve;

Therefore be it resolved that pursuant to Report CF-23-27:

1. That additional funding of \$24,067, funded from the Roads Development Charges Reserve Fund and the Growth Related Non-DC Reserve, be approved; and,
2. That the Manager, Procurement be authorized to award a contract to CIMA Canada Inc. in the amount of \$1,748,297 plus H.S.T. for C2022-119 Conlin Road East Design, Part A Design and Final Tender Package.

CF-23-28 - Durham Catholic District School Board use of Gulfstream Park by St. Anne Catholic School (Ward 2)

Recommendation

Whereas Correspondence FIN-22-94, dated September 15, 2022, was received from the Durham Catholic District School Board to request a waiver of fees for use of the sport field at Gulfstream Park located at 2471 Bridle Road; and,

Whereas City Council referred Correspondence FIN-22-94 to staff for a report; and,

Whereas Gulfstream Park is located immediately adjacent to St. Anne Catholic School; and,

Whereas St. Anne Catholic School has been issued a rental permit for 8:30 a.m. to 3:00 p.m. Monday to Friday for the use of the sport field at Gulfstream Park for the months of September, October, May and June in the 2022/2023 school year; and,

Whereas the total value of the rental permit for the 2022/2023 school year prior to H.S.T. is \$2,210.00; and,

Whereas the City of Oshawa and Durham Catholic District School Board have an executed agreement in place for the shared use of the parking lot at Gulfstream Park; and,

Whereas the City of Oshawa and Durham Catholic District School Board are engaged in ongoing discussions regarding a partnership agreement for the use of the sport field at Monsignor John Pereyma Catholic Secondary School when it is redeveloped; and,

Whereas the City of Oshawa and Durham District School Board have a similar arrangement for the use of the tennis courts, sport field and diamonds at Alexandra Park by O'Neill Collegiate and Vocational

Institute;

Therefore, be it resolved, that the fees for the use of the sport field at Gulfstream Park during the 2022/2023 school year in the amount of \$2,210 plus H.S.T. be waived for Durham Catholic District School Board and an agreement is executed to continue this arrangement for a term of five years.

CF-23-29 - C2023-009 Stormwater Management Facility Cleaning – Additional Funding (Ward 1)

Recommendation

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

Whereas, in 2022 Council approved Project 54-0005 in the amount of \$275,000 inclusive of H.S.T., for Storm Water Management Pond Cleaning; and,

Whereas, Procurement issued a Request for Tender (R.F.T.) C2023-009 Stormwater Management Facility Cleaning; and,

Whereas, twelve (12) bids were received (publically posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on February 7, 2023; and,

Whereas, the lowest complaint bid was received from Strong Bros. General Contracting Ltd. in the amount of \$435,993 (\$443,667 including non-rebateable H.S.T.); and,

Whereas, there has been a total of \$22,477 committed to date for soil sampling and surveys; and,

Whereas, there is a funding shortfall of \$191,144, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$191,144 can be funded from the Subdividers Fixed Charges account from the portion collected for the Stormwater Pond Maintenance Fees;

Therefore be it resolved that pursuant to CF-23-29:

1. That the additional funding of \$191,144 to be funded from the Subdividers Fixed Charges account be approved; and,
2. That the Manager, Procurement be authorized to award a contract to Strong Bros. General Contracting Ltd. in the amount of \$435,993 excluding H.S.T. for C2023-009 Stormwater Management Facility Cleaning.

CF-23-30 - Additional Funding – C2023-027 Rear & Side Loader Waste

Vehicles (All Wards)

Recommendation

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

Whereas, in 2023 Council approved various Potential Adjustments that included the request for additional vehicles and equipment in the amount of 1,821,000, which includes \$1,200,000, inclusive of non-rebateable H.S.T., for replacement of a Rear and Side Loader Waste Vehicles; and,

Whereas, Procurement issued a Request for Tender (R.F.T.) C2023-027 Supply and Delivery of Side & Rear Loading Garbage Truck; and,

Whereas, one (1) bid was received (publically posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on March 21, 2023; and,

Whereas, the bid received from Premier Truck Group, in the amount of \$1,301,500 excluding H.S.T. (\$1,324,406 including non-rebateable H.S.T.), is the lowest compliant bidder and meets the requirements of the tender; and,

Whereas, there is a funding shortfall of \$124,406, including non-rebateable H.S.T.; and,

Whereas, the additional cost of \$124,406 can be funded from the City Equipment Reserve;

Therefore be it resolved that pursuant to CF-23-30:

1. That additional funding of \$124,406 to be funded from the City Equipment Reserve be approved; and,
2. That the Manager, Procurement be authorized to award a contract to Premier Truck Group in the amount of \$1,301,500 excluding H.S.T. for C2023-027 Supply and Delivery of Rear & Side Loader Waste Vehicles.

CF-23-31 - 2023-2027 Accessibility Plan (All Wards)

Recommendation

1. That pursuant to Report CF-22-31 dated April 12, 2023, City Council approve the City of Oshawa's 2023-2027 Accessibility Plan, as presented in Attachment 1 of said Report; and,
2. That the City Clerk be authorized to send a copy of the approved City of Oshawa Accessibility Plan to the Ministry of Seniors and Accessibility.

CF-23-32 - Information Report on 2022 Actions Taken to Address

Poverty (All Wards)**Recommendation**

That Report CF-23-32 dated April 12, 2023 concerning the information report on 2022 actions taken to address poverty be received for information.

CF-23-23 - 2023 Final Tax Rates By-law (All Wards)**Recommendation**

1. That in accordance with Report CF-23-23 dated April 12, 2023, the 2023 Final Tax Rates By-law providing for the billing and collection of the 2023 final tax levy for all property classes be approved; and,
2. That staff prepare a fact sheet on the tax rate comparisons of surrounding municipalities by May 1, 2023; and,
3. That the following be referred to staff for a report: 'That staff publish an online 2023 Budget Highlights with Infographics.'

CF-23-22 - Support for Bill 5 - Stopping Harassment and Abuse by Local Leaders Act (All Wards)**Recommendation**

That CF-23-22 concerning support for Bill 5 - Stopping Harassment and Abuse by Local Leaders Act be referred to staff for a report.

CF-23-35 - Publishing the Names of Members on Standing Committee Agendas (All Wards)**Recommendation**

That Council direct staff to publish the list of the Standing Committee members related to their respective Standing Committee on the Committee agendas, for increased transparency when reviewing agendas and improved efficiency for members of the public interested in approaching Council members concerning specific agenda items.

CF-23-36 - Report concerning the deadline for the Arborwood Trail Project (Ward 1)**Recommendation**

That Finance staff report to the Corporate and Finance Services Committee on the deadline for the approved Arborwood Trail Project to ensure that the opportunity is not missed.

Report of the Economic and Development Services Committee

The Economic and Development Services Committee respectfully reports and recommends to City Council its Ninth Report.

ED-23-94 - Robert McLaughlin Gallery's Board of Directors Requesting Leasehold Improvements to Arthur's on the 4th, Robert McLaughlin Gallery (Ward 4)

Recommendation

Whereas, on April 3, 2023, City Council considered correspondence CNCL-23-34 from the Robert McLaughlin Gallery (the “R.M.G.”) regarding leasehold improvements to their leased premises at 72 Queen Street (the “Subject Lands”) and referred it to the Economic and Development Services Committee; and,

Whereas, the City and the R.M.G. executed a new lease agreement (the “Current Lease Agreement”) dated December 14, 2022 for use of the Subject Lands for a twenty (20) year term commencing December 20, 2022 and terminating on December 19, 2042; and,

Whereas, in accordance with the Current Lease Agreement, any improvements to the leased premises proposed by the R.M.G. require prior written approval from the City, and shall be installed to the City’s satisfaction; and,

Whereas, the R.M.G.’s proposed leasehold improvements to the event rental space at the gallery known as “Arthur’s” includes the following:

- Replacement of carpet with marmoleum flooring;
- Removal of coffee service station to increase flexibility of the space;
- Replacement of lighting fixtures;
- Painting of walls and trim; and,
- Acquiring new furniture to improve accessibility and flexibility of use.

Therefore be it resolved:

1. That, the Robert McLaughlin Gallery’s proposed leasehold improvements as generally outlined in correspondence CNCL-23-34 be approved, in principle, at no cost to the City and subject to all necessary requirements of City staff being met to the satisfaction of the Commissioner, Economic and Development Services Department in consultation with the Chief Administrative Officer; and
2. That, subject to the approval of Part 1 above, the Commissioner, Economic and Development Services Department or Director of Planning Services be authorized to execute on behalf of the City of Oshawa, as owner of the subject lands at 72 Queen Street, any required permits or agreements in support of the Robert McLaughlin Gallery’s proposed leasehold improvements.

ED-23-61 - Proposed renaming of Ortono Avenue (Ward 5)

Recommendation

Whereas, Plan 167, a registered plan of subdivision in the City of Oshawa was registered in February of 1913 with the street names Park Avenue, Lakeview Avenue, Birch Avenue, and Russell Avenue, amongst others; and,

Whereas, following the conclusion of the Second World War and the construction of Highway 401, several streets were closed and other streets were renamed in honour of Second World War battles such as Normandy, Dunkirk and Dieppe; and,

Whereas, there is a street named Ortono Avenue located south of Highway 401 and west of Wilson Road South; and,

Whereas, on March 9, 2023, the Ontario Regiment Museum submitted correspondence to the City (see Attachment 1) advising that the street name of Ortono was incorrect and should be spelt Ortona in reference to the Battle of Ortona; and,

Whereas, there are fifteen (15) dwellings on Ortono Avenue; and,

Whereas, reviewing a potential street name change would involve consulting with the existing residents on Ortono Avenue to obtain their comments on the possible renaming of their street and advising them of the process to change a street name and of the Council policy to provide an ex-gratia payment to offset personal costs to change their address;

Therefore, be it resolved that the Economic and Development Services Department be authorized to initiate a consultation process with the residents of Ortono Avenue and the Ontario Regiment Museum regarding the potential street name change and report back to the Economic and Development Services Committee on the results of that consultation.

ED-23-62 - Process for Handling Applications made under Various Sections of the Ontario Heritage Act (All Wards)

Recommendation

1. That, pursuant to Report ED-23-62 dated April 12, 2023, Economic and Development Services staff be authorized to implement the staff recommended processes for applications made under Sections 27, 29, 33 and 34 of the Ontario Heritage Act, as outlined in Section 5.3 of said Report; and,
2. That, pursuant to Report ED-23-62 dated April 12, 2023, Economic and Development Services staff be directed to undertake a detailed review of the heritage policies of other

municipalities and recommend appropriate heritage policies for inclusion in the Oshawa Official Plan, through the process of carrying out and reporting on the City's next Municipal Comprehensive Review of the Oshawa Official Plan.

ED-23-63 - Application for Demolition of 195 Simcoe Street North under Section 34, Part IV of the Ontario Heritage Act (Ward 4)

Recommendation

Whereas, the dwelling located at 195 Simcoe Street North, known as the Robert McLaughlin House, is a "listed, non-designated" property on the City's Register of Properties of Cultural Heritage Value or Interest under Section 27 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 (the "Heritage Act") but is not currently designated; and,

Whereas, on February 2, 2021, Nantuck Investments Inc. (the "Owner") submitted to City staff notice of their intention to demolish the Robert McLaughlin House; and,

Whereas, on March 15, 2021, the then Development Services Committee considered Heritage Oshawa's recommendation to designate the Robert McLaughlin House, and recommended to City Council that the property be designated, and that staff be directed to investigate with the Owner any possible opportunities for the adaptive reuse of the property; and,

Whereas, on March 29, 2021, City Council directed staff to undertake, among other matters, the process to designate the Robert McLaughlin House as a property of cultural heritage value or interest under the Heritage Act; and,

Whereas, on April 1, 2021, staff issued notice of the City's intention to designate the Robert McLaughlin House, advising that any person may, on or before May 3, 2021, file a Notice of Objection to the proposed designation; and,

Whereas, a Notice of Objection dated April 30, 2021 was received from the Owner with respect to the proposed designation, which was subsequently referred by City staff to the then Conservation Review Board for a hearing and recommendation to City Council concerning the designation; and,

Whereas, the Conservation Review Board has now been amalgamated with other various tribunals as the Ontario Land Tribunal; and,

Whereas, the appeal process remains ongoing, and a hearing date has not been scheduled by the Ontario Land Tribunal; and,

Whereas on March 16, 2023, the Owner submitted an application under

Section 34 of the Heritage Act requesting to demolish a portion of the Robert McLaughlin House and construct an addition to the rear of the remaining portion of the dwelling, in order to facilitate the adaptive reuse of the building for two commercial units and six residential apartment units (see Attachment 1); and,

Whereas, under the Heritage Act, Council has until May 15, 2023 to deem the application either complete or incomplete and give notice to the Owner, and if Council fails to issue such a notice, the application is deemed complete; and,

Whereas, under the Heritage Act, after deeming the application complete, Council would have 90 days to deny, approve or approve with conditions the application to demolish; and,

Whereas, under the Heritage Act, Council must consult with Heritage Oshawa within the aforementioned 90 day period, prior to making a decision on the application; and,

Whereas, Economic and Development Services staff consider Attachment 1 to contain sufficient information for Council to make a decision under the Heritage Act; and,

Whereas, Council's decision on the application does not preclude Council's position on the designation of the property, a matter which remains under consideration at the Ontario Land Tribunal;

Therefore, be it resolved:

1. That, pursuant to Item ED-23-63, City Council deem the application submitted by Nantuck Investments Inc. under Section 34 of the Ontario Heritage Act concerning 195 Simcoe Street North, to be a complete application; and,
2. That, pursuant to Item ED-23-63, Economic and Development Services staff be authorized to provide Notice of Complete Application to Nantuck Investments Inc., owner of 195 Simcoe Street North, by no later than May 5, 2023, in accordance with the requirements of Section 34 of the Ontario Heritage Act; and,
3. That, pursuant to Item ED-23-63, Economic and Development Services staff be directed to consult with Heritage Oshawa on May 25, 2023 on the application under the Ontario Heritage Act received from Nantuck Investments Inc. with respect to 195 Simcoe Street North, and report back to the Economic and Development Services Committee on June 6, 2023.

ED-23-65 - Revised Applications to Amend the Oshawa Official Plan,

Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd. (Ward 2)

Recommendation

1. That, pursuant to Report ED-23-65 dated April 12, 2023, the revised application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan (File: OPA-2019-03) to permit a maximum residential density of 592 units per hectare at 1664 Simcoe Street North and 17 and 25 Niagara Drive be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
2. That, pursuant to Report ED-23-65 dated April 12, 2023, the revised application submitted by Karmina Developments Ltd. to amend the Samac Secondary Plan (File: OPA-2019-03) to permit a maximum residential density of 592 units per hectare at 1664 Simcoe Street North and 17 and 25 Niagara Drive be approved, generally in accordance with the comments contained in said noted Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
3. That, pursuant to Report ED-23-65 dated April 12, 2023, the revised application submitted by Karmina Developments Ltd. to amend Zoning By-law 60-94 (File: Z-2019-12) to rezone 1664 Simcoe Street North and 17 and 25 Niagara Drive from R3-A/R4-A/R6-A “h-48” (Residential) to an appropriate R6-D (Residential) Zone to permit a new 7-storey, 142-unit apartment building be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
4. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-19-186 dated October 16, 2019 presented at the public meeting of October 21, 2019 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 3 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

ED-23-70 - Front Ending Agreement with Broccolini Thornton Limited

Partnership (Ward 2)

Recommendation

1. That pursuant to Report ED-23-70 dated April 12, 2023 regarding the request from Broccolini Thornton Limited Partnership to enter into a Front Ending Agreement with Broccolini Thornton Limited Partnership and any other developer with work on Thornton Road North in the vicinity of 1680 Thornton Road North for the construction of work associated with the road widening and left-turning lane storage requirements on Thornton Road North, that the Commissioner, Economic and Development Services Department be authorized to sign the agreement provided the agreement is in a form and content acceptable to the City Solicitor and the Commissioner, Corporate and Finance Services Department; and,
2. That, pursuant to Report ED-23-70 dated April 12, 2023, funding in the amount of \$5,129,864.47 in Development Charge and Growth Related Non DC funding for 73-0461 Thornton Road North Growth Related Widening for the reimbursement to Broccolini Thornton Limited Partnership be provided, subject to the execution of the Front Ending Agreement authorized by Item 1; and,
3. That, pursuant to Report ED-23-70 dated April 12, 2023, Council waive the Purchasing By-law requirements and allow Broccolini Thornton Limited Partnership to construct the work associated with the road widening and left-turning lane storage requirements on Thornton Road North as described and set forth by the City of Oshawa in the Site Plan Agreement for 1680 Thornton Road North.

ED-23-77 - City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 Related to the City of Oshawa Parking Study (All Wards)

Recommendation

1. That, pursuant to Report ED-23-77 dated April 12, 2023, the City-initiated Amendment to the Oshawa Official Plan as generally set out in Attachment 1 of said Report be approved, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
2. That, pursuant to Report ED-23-77 dated April 12, 2023, the City-initiated Amendment to Zoning By-law 60-94 as generally set out in Attachment 2 of said Report be approved, and the necessary by-law be passed in a form and content acceptable to

the Commissioner, Economic and Development Services Department and the City Solicitor; and,

3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report ED-23-37 dated March 1, 2023 presented at the public meeting of March 6, 2023 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation in Report ED-23-77, such differences are not substantial enough to require further notice and another public meeting.

ED-23-80 - Heritage Oshawa By-law (All Wards)

Recommendation

Whereas, Section 28 of the Ontario Heritage Act, R.S.O. 1990, c.0.18 (the “Act”), provides that the Council of any municipality may, by by-law, establish a municipal heritage committee, with a minimum of five members, to advise and assist the Council on matters of cultural heritage value and interest including the designation of heritage properties and heritage conservation districts under Parts IV and V of the Act, and such other heritage matters as the Council may specify by by-law; and,

Whereas, City Council established a municipal heritage committee pursuant to the Act through By-law 59-95, styled as Heritage Oshawa; and,

Whereas, By-law 59-95 was subsequently repealed and replaced with By-law 29-2006, which in turn was later repealed and replaced with By-law 02-2011; and,

Whereas, in addition to reaffirming the establishment of Heritage Oshawa as the City’s Municipal Heritage Committee, By-law 02-2011 includes various provisions setting out operating procedures for the Committee; and,

Whereas, subsequent to passing By-law 02-2011 in 2011, City Council has since adopted the Advisory Committees of Council Policy and Procedure (the “Policy”) which sets out provisions for the operation of all Advisory Committees of Council, including Heritage Oshawa, and requires each Advisory Committee to have a Council-approved Terms of Reference; and,

Whereas, the Policy and Terms of Reference documents are reviewed during each term of Council to ensure they remain up to date and accurate based on current legislation and other Council by-laws or policies; and,

Whereas, the operating procedures set out in By-law 02-2011 are now addressed in the Advisory Committees of Council Policy and Procedure and/or its approved Terms of Reference;

Therefore be it resolved:

1. That City Council reaffirms the establishment of Heritage Oshawa as a Municipal Heritage Committee pursuant to the Ontario Heritage Act; and,
2. That Heritage Oshawa is an Advisory Committee of Council and will operate under the Advisory Committees of Council Policy and Procedure and Committee Terms of Reference as may be amended by Council; and,
3. That By-law 02-2011 be repealed and replaced with a by-law generally in the form and content as set out in Attachment 1 to Item ED-23-80.

ED-23-81 - Common Element Condominiums – Public Meetings and Notices of Application (All Wards)

Recommendation

Whereas, the City of Oshawa is the approval authority for applications for plans of condominium in Oshawa; and,

Whereas, Ontario Regulation 544/06 under the Planning Act was approved in 2006 to provide regulations for processing applications for plans of subdivision and plans of condominium; and,

Whereas, prior to July 1, 2016, Ontario Regulation 544/06 stipulated that for applications for common element condominiums and vacant land condominiums, the approval authority must issue a notice of application if a complete application is received and must hold a public meeting in a prescribed manner; and,

Whereas, on July 1, 2016 the Province of Ontario passed Ontario Regulation 178/16 which had the effect, in part, of amending Ontario Regulation 544/06 such that for applications for common element condominiums, the approval authority is not required to issue a notice of application for a complete application or hold a public meeting; and,

Whereas, Item 56 of the City's Delegation By-law 29-2009, as amended, delegates the approval of condominium applications that do not require a public meeting under the Condominium Act or under Council policy to the Commissioner, Economic and Development Services Department or the Director of Planning Services; and,

Whereas, the delegation is subject to the proposed plan of condominium

being consistent with the approved site plan and zoning; and,

Whereas, in accordance with Item 56 of the City's Delegation By-law 29-2009, as amended, the City does not issue notices of applications or hold public meetings for proposed standard condominiums or phased condominiums; and,

Whereas, the Condominium Act and the regulations under the Condominium Act do not require a public meeting for an application for a plan of condominium submitted to an approval authority under the Planning Act; and,

Whereas, although the City does not have a policy requiring public meetings for common element condominiums, since July 1, 2016 the City of Oshawa has continued to issue notices of application and hold public meetings for applications for common element condominiums; and,

Whereas, a condominium is not a form of development but is rather a type of tenure of a property, and it does not create development or land use permissions for a property; and,

Whereas, removing the requirement for notice of application and holding a public meeting for common elements condominiums will further enhance the City's development application processing and make efficient use of Economic and Development Services staff resources; and,

Whereas, it is appropriate to continue to issue notice of application and hold a public meeting for any application for common element condominium that proposes to convert an existing rental property to condominium tenure;

Therefore be it resolved:

1. That, pursuant to Item ED-23-81, Schedule "A" to Delegation By-law 29-2009, as amended, be further amended by adding to Item 56 the text ", Planning Act" after the text "Condominium Act" under the heading "Delegated Authority", and the appropriate amending by-law be passed; and,
2. That it is a policy of Oshawa City Council that applications for common elements condominiums do not require a public meeting and do not require a notice of application unless said application proposes to convert an existing rental property to condominium tenure.

ED-23-82 - Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision (S-O-2014-04), 1500 Conlin Road

**East, Regita Enterprise Inc./Schleiss Development Company Limited
(Ward 1)**

Recommendation

1. That, pursuant to Report ED-23-82 dated April 12, 2023, the revised application submitted by Regita Enterprise Inc./Schleiss Development Company Limited to amend Zoning By-law 60-94 (File: Z-2014-03) in order to implement a revised draft plan of subdivision (File: S-O-2014-04) for 1500 Conlin Road East be approved, generally in accordance with the comments in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and City Solicitor; and,
2. That, pursuant to Report ED-23-82 dated April 12, 2023, the revised application submitted by Regita Enterprise Inc./Schleiss Development Company Limited to implement a revised draft plan of subdivision (File: S-O-2014-04) featuring 29 blocks to accommodate up to 344 single detached dwellings, 13 blocks for 72 street townhouse dwellings, 1 low residential block to accommodate up to 50 block townhouse dwellings, 2 medium density residential blocks to accommodate up to 178 block townhouse dwellings, a portion of a mixed use block, an elementary school block, a walkway block, 3 parkette blocks, 2 stormwater management pond blocks, 2 open space blocks, 7 landscape strip blocks, 2 road widening blocks, 4 reserve blocks and new arterial, collector and local roads at 1500 Conlin Road East be approved, subject to the conditions as generally set out in Attachment 5 of said Report; and,
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-16-19 dated February 3, 2016 presented at the public meeting of February 8, 2016 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 1 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

ED-23-84 - Revised Proposed New Telecommunication Tower and Related Equipment, 900 Colonel Sam Drive, SpectraPoint Inc. on behalf of Rogers Communications Inc. and R. Knocker & Son Paving Contractors Ltd. (Ward 5)

Recommendation

That, pursuant to Report ED-23-84 dated April 12, 2023, the Commissioner, Economic and Development Services Department be authorized to advise Innovation, Science and Economic Development

Canada that the City has no objection to the revised proposal by SpectraPoint Inc. on behalf of Rogers Communications Inc. on lands owned by R. Knocker & Son Paving Contractors Ltd. at 900 Colonel Sam Drive to install a 35 metre (114.83 ft.) high monopole telecommunication tower with related at-grade equipment and fencing, subject to Rogers Communications Inc. addressing such matters as siting and tower design to the satisfaction of the Commissioner, Economic and Development Services Department.
(File: SPA-2022-09).

ED-23-88 - Municipal Consent Process and Franchise Renewal with Enbridge Gas (All Wards)

Recommendation

1. That, pursuant to Report ED-23-88 dated April 12, 2023, that staff be authorized to update the current franchise agreement, to the satisfaction of the Commissioner, Economic and Development Services Department and the City Solicitor, for a term of no greater than 20 years, and that the updated agreement be executed in accordance with the City's delegation by-law; and,
2. That, pursuant to Report ED-23-88 dated April 12, 2023, that Council endorse the consolidated Municipal Consent Requirements as a guide for staff to advance Municipal Consent permits; and,
3. That staff be directed to review the General Fees and Charges By-law with respect to the fees charged for Municipal Consents for both area residents and utility service providers through the 2023 review of the City's General Fees and Charges By-law.

Report of the Safety and Facilities Services Committee

The Safety and Facilities Services Committee respectfully reports and recommends to City Council its Fifth Report.

SF-23-16 - Identification Cards for Heritage Oshawa Members (Formerly HTG-23-19) (All Wards)

Recommendation

That SF-23-16 being a request from Heritage Oshawa that members be provided with identification cards to identify themselves at events around the City of Oshawa be referred to staff for a report.

SF-23-17 - Vacant Buildings and Property Standards By-law 1-2002 (All Wards)

Recommendation

1. That Council approve a Vacant Buildings and Land Registry By-law and amend the General Fees and Charges By-law 13-2002, as amended, in the form of Option "B": Implement a Vacant

Building Registry and Land By-law as detailed in Section 5.3.3 of Report SF-23-10 “Vacant Building and Land Registry By-law”, dated March 15, 2023, and in a form and content acceptable to the Chief Administrative Officer and Legal Services; and,

2. That the one (1) additional regular part-time Municipal Law Enforcement Officer position be presented to Council when appropriate through future budget submissions as part of the City’s regular budget planning process or separate reports as appropriate; and,
3. That the requirements of Notice By-law 147-2007 regarding notice to the public for amendments to the General Fees and Charges By-law 13-2003, as amended, be waived.

SF-23-19 - Request for a Basketball Court to be Installed at Delpark Home Centre (Ward 1)

Recommendation

Whereas many families in the Taunton Part II Planning Area have requested the City install an outdoor basketball court in Coldstream Park; and

Whereas with the new Harmony Creek trail opening to the Delpark Homes Centre, an alternate location option presented is to build a special new outdoor basketball court at the Delpark Home Centre;

Now therefore an investigation for such a special outdoor basketball court at the Delpark Home Centre be referred to the consultant for the PRLC’s Report (expected in October 2023).

Other Staff Reports and Motions

CNCL-23-40 - Request - Long Term Parking License Agreement at Centre Street Parking Garage (G1): Plazacomm Investments Ltd. (Ward 4)

59

Recommendation

Whereas, outlined in correspondence CO-23-26, appended as Attachment 1, Plazacomm Investments Ltd. is looking to redevelop the 8-storey, 100,000+ sq. ft. office building located at 40 King Street West in Oshawa; and,

Whereas this building will be redeveloped to include office space; and,

Whereas the Plazacomm Investments Ltd. has requested 200 long term parking spaces in the adjacent City owned parking structure located at 40 Bond Street West (Centre Street Parking Garage); and,

Whereas City staff have advised Plazacomm Investments Ltd. that the maximum number of parking spaces that could be offered is 150, which was acceptable; and,

Whereas staff, in consultation with Plazacomm Investments Ltd. propose that the City enter into an agreement in relation to parking at the Centre Street Parking Garage with Plazacomm Investments Ltd., subject to certain terms and conditions, including:

1. A term of 20 years commencing on January 1, 2024; and,
2. Plazacomm Investments Ltd. shall pay the City current market rate each year for each parking space; and,
3. The City shall be entitled to relocate all or some of the parking spaces being licensed to Plazacomm Investments Ltd. to other controlled parking facilities owned or operated by the City. These spaces shall be located as close as possible to the Centre Street Parking Garage and in no event will be further than 1 km from the Centre Street Parking Garage; and,
4. The City does not guarantee the availability of any parking space on a day to day basis;

Therefore be it resolved that the Mayor and Clerk be authorized to execute an agreement with Plazacomm Investments Ltd on the basis of the foregoing and in the form satisfactory to the Commissioner, Community and Operations Services Department and the City Solicitor.

CNCL-23-47 - Heritage Oshawa's Motion Related to Designation of 827 Gordon Street under Part IV of the Ontario Heritage Act (Ward 5)

61

Recommendation

1. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be authorized to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a listed, non-designated property; and,
2. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be directed to advance Option 1 as set out in Section 5.10.1 of said Report to advance the designation of 827 Gordon Street under Part IV of the Ontario Heritage Act.

CNCL-23-51 - Defibrillator Battery Replacement in City-owned Park Clubhouses (All Wards)

Recommendation

Whereas on April 3, 2023 Council adopted the recommendation of the Community and Operations Services Committee to authorize staff to replace defibrillator batteries in Park Clubhouses on an as needed basis and to search for sponsorship opportunities for the replacements; and,

Whereas lifesaving devices known as defibrillators (Automatic External Defibrillators) are required to be installed in all publically accessible buildings,

including the Park Clubhouses; and,

Whereas the Defibrillator Registration and Public Access Act, 2019 S.O. 2020, c.8 – Bill 141, identifies specific obligations of the owner of a publically accessible building and where a defibrillator has been or will be installed; and,

Whereas the City of Oshawa does not own the Park Clubhouses; they are owned, operated and maintained by the Oshawa Central Council of Neighbourhood Associations (O.C.C.N.A.); and,

Whereas the O.C.C.N.A. receives an annual operating Grant of \$50,000 to help prioritize building maintenance and repairs in consultation with City staff;

Therefore be it resolved:

1. That Council reconsider its decision of April 3, 2023 concerning Item CO-23-15 regarding the replacement of defibrillator batteries in Park Clubhouses; and,
2. That staff be authorized to allocate a portion of the \$50,000 annual operations and maintenance Grant to the Oshawa Central Council of Neighbourhood Associations to ensure obligations as set out in the above noted Act are addressed by the building owner in a pro-active manner.

By-Laws

44-2023 - A By-law to Adopt Amendment 215 to the Oshawa Official Plan

(Implements direction of May 1, 2023 through Item ED-23-65 of the Ninth Report of the Economic and Development Services Committee to add a site specific policy to permit a maximum residential density of 592 units per hectare on lands located at 1664 Simcoe Street North and 17 and 25 Niagara Drive.)

45-2023 - A By-law to Adopt Amendment 73 to the Official Plan for the Former Oshawa Planning Area - Secondary Plan for the Samac Community

(Implements direction of May 1, 2023 through Item ED-23-65 of the Ninth Report of the Economic and Development Services Committee too redesignate the subject lands located at the southwest corner of Simcoe Street North and the south leg of Niagara Drive, and municipally known as 1664 Simcoe Street North, and 17 and 25 Niagara Drive, from Medium Density I Residential to High Density II Residential to permit a 7 storey apartment building with 142 units and to apply a site specific policy to continue to permit Medium Density I Residential uses and density.)

46-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of May 1, 2023 through Item ED-23-65 of the Ninth Report of the Economic and Development Services Committee to amend Zoning By-law 60-94 to permit a new 7-storey apartment building containing 142 studio apartment units at 1664 Simcoe Street North and 17 and 25 Niagara Drive.)

47-2023 - A By-law to Adopt Amendment 214 to the Oshawa Official Plan

(Implements direction of May 1, 2023 through Item ED-23-77 of the Ninth Report of the Economic and Development Services Committee to add a new Section 3.9 entitled 'Parking' that establishes various policies to guide the consideration of parking-related matters throughout the City including the development proposals.)

48-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of May 1, 2023 through Item ED-23-77 of the Ninth Report of the Economic and Development Services Committee to amend Zoning By-law 60-94 by amending Section 2 'Definitions', by adding a definition for Student Housing; amending Table 39.3B - Residential Parking Requirements; amending Subsection 39.4, 'Parking Space Standards', amending Article 39.9.1 under Subsection 39.9, 'Driveway Requirements', adding a transition rule for proposed residential developments for which a complete building permit application is submitted up to June 28, 2024; adding as part of the transition rule a new rule for proposed residential developments for which a complete application for site plan approval has been submitted prior to the date of passing of this amending by-law; and adding as part of the transition rule a new rule for proposed residential developments for which the Committee of Adjustment has already approved minor variance related to parking supply and/or size to allow the variance to apply, if the relief granted of the Committee is less onerous than the new regulations.)

49-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of May 1, 2023 through Item ED-23-82 of the Ninth Report of the Economic and Development Services Committee to amend Zoning By-law 60-94, as amended to permit 29 blocks to accommodate up to 344 single detached dwellings; 13 blocks for 72 street townhouse dwellings; 1 low density residential block to accommodate up to 50 block townhouse dwellings; 2 medium density residential blocks to accommodate up to 178 block townhouse dwellings; a portion of a mixed use block; an elementary school block; a walkway block; 3 parkette blocks; 2 stormwater management pond blocks; 2 open space blocks; 7 landscape strip blocks; 2 road widening blocks; 4 reserve blocks; and, new arterial, collector and local roads at 1500 Conlin Road East.)

50-2023 - A By-law to establish the Community Benefits Charges By-law

(Implements Council direction of April 3, 2023 through Item CF-23-18 of the Fifth Report of the Corporate and Finance Services Committee to establish the Community Benefits Charges By-law for the Corporation of the City of Oshawa.)

51-2023 - A By-law to amend Traffic By-law 79-99, as amended

(Implements direction of May 1, 2023 through Item CO-23-16 of the Fifth Report of the Community and Operations Services Committee to reduce the speed limit on Ormond Drive between Askew Court and Coldstream Drive (east intersection) to 40 km/h.)

52-2023 - A By-law for the implementation and collection of the Final Tax Levies required to be raised for the year 2023 and to establish the Tax Rates necessary to raise those sums

(Implements direction of May 1, 2023 through Item CF-23-23 of the Sixth Report of the Corporate and Finance Services Committee for the implementation and collection for the Final Tax Levies requires to be raised for the year 2023 and to establish the Tax Rates necessary to raise those sums.)

53-2023 - A By-law to amend Traffic By-law 79-99, as amended

(Implements direction of May 1, 2023 through Item CO-23-18 of the Fifth Report of the Community and Operations Services Committee to change 12 parking spaces in Parking Lot #50 in the parking complex located south of the McLaughlin Art Gallery from employee overflow parking spaces to 2 hours maximum paid parking spaces.)

54-2023 - A By-law to establish a Municipal Heritage Committee

(Implement direction of May 1, 2023 through Item ED-23-80 of the Ninth Report of the Economic and Development Services Committee to reaffirm the establishment of Heritage Oshawa as a Municipal Heritage Committee pursuant to the Ontario Heritage Act operating as an Advisory Committee under the Advisory Committees of Council Policy and Procedure and to repeal By-law 02-2011, as amended.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

Items Pulled from the Information Package

CNCL-23-41 - Correspondence received from Frances Scanga concerning the Oshawa Bocce Club Lease Renewal (INFO-23-62) (All Wards) 107

(Placed on the agenda at the request of Councillor McConkey in order to be received for information. Requires a Majority Vote of members present to reconsider Council's previous direction from June 22, 2020 on the matter.)

CNCL-23-42 - Correspondence received from various residents requesting the Region of Durham pause the Envision Durham Official Plan Review (INFO-23-73) (All Wards) 109

(Placed on the agenda at the request of Councillor McConkey in order to be received for information. Requires a 2/3 vote of members present to reconsider Council's previous direction from April 3, 2023 on the matter.)

CNCL-23-43 - Correspondence received from Tim Bird concerning Snow Removal in Oshawa (INFO-23-76) (All Wards) 111

(Placed on the agenda at the request of Councillor McConkey for staff to review and report to Committee and Council on various options available to respond to Oshawa resident's concerns like those expressed in Mr. Bird's email. Requires a 2/3 vote of members present to reconsider Council's previous direction from April 3, 2023 on the matter.)

Recess

Closed Consent Agenda

Recommendation

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated May 1, 2023 be adopted as recommended.

Correspondence with recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

None

Report of the Corporate and Finance Committee Services

None

Report of the Economic and Development Services Committee

The Economic and Development Services Committee respectfully reports and recommends to City Council its Tenth Report.

ED-23-93 - Request to Purchase 1 Mary Street North (Ward 4)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That Correspondence ED-23-93, concerning a request to purchase 1 Mary Street North be declined.

ED-23-64 - Invitation to Use Region-Owned Land on Ritson Road South on a Temporary Basis (Ward 4)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That staff be directed to proceed in accordance with Section 2.0 of Closed Report ED-23-64 dated April 12, 2023.

ED-23-66 - Proposed Lease Amendment: 100 Simcoe Street South, Oshawa PUC Networks Inc. (Ward 4)

Closed Pursuant to Section 239 (2)(a)(c) of the Municipal Act

Recommendation

That, pursuant to Report ED-23-66 dated April 12, 2023, the Commissioner, Economic and Development Services Department be authorized to execute an amendment to the lease agreement with Oshawa PUC Networks Inc. (operating as Oshawa Power) for 100 Simcoe Street South generally consistent with the terms and conditions as set out in Section 5.4 of said Report and in a form and content satisfactory to the Commissioner, Economic and Development Services Department and the City Solicitor.

ED-23-68 - Update on the Combined Disposal and Acquisition Strategy Related to City-owned Lands on Eulalie Avenue (Ward 4)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That, pursuant to Closed Report ED-23-68 dated April 12, 2023, the Commissioner, Economic and Development Services Department be authorized to proceed as outlined in Section 5.3 of said Report.

ED-23-69 - Update on City-owned Lands at 0 William Street East and 0 Ritson Road North (Ward 4)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That pursuant to Closed Report ED-23-69 dated April 12, 2023, staff be authorized to proceed as outlined in Sections 5.5 and 6.0 of said Report for the City-owned lands municipally known as 0 William Street East and 0 Ritson Road North.

ED-23-71 - Disposal Strategy: City-owned Land on the West Side of Haig Street, Known Municipally as 0 Haig Street (Ward 4)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That, pursuant to Closed Report ED-23-71 dated April 12, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for the City-owned land located on the west side of Haig Street and known municipally as 0 Haig Street, that was declared surplus to municipal requirements by City Council on December 12, 2022.

ED-23-72 - Disposal Strategy: City-owned land located at 0 and 20 Harbour Road, at the northeast corner of Simcoe Street South and Harbour Road (Ward 5)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That, pursuant to Closed Report ED-23-72 dated April 12, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for 0 and 20 Harbour Road, which form part of the northeast corner of Simcoe Street South and Harbour Road, that were declared surplus to municipal requirements by City Council on April 11, 2016.

ED-23-74 - Proposed Improvements to Public Interface along Simcoe Street South, south of Harbour Road (Ward 5)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That pursuant to Closed Report ED-23-74 dated April 12, 2023, staff be authorized to proceed in accordance with Closed Item ED-23-74 concerning proposed improvements to the public interface along Simcoe Street South, south of Harbour Road.

ED-23-79 - Potential Acquisition of Land on Thornton Road North (Ward 2)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That, pursuant to Closed Item ED-23-79 concerning the potential acquisition of land on Thornton Road North, the Commissioner, Economic and Development Services Department be authorized to proceed as set out in said Closed Item.

ED-23-83 - Request to Amend Licence Agreement between the Ontario Regiment R.C.A.C. Regimental Museum and the City of Oshawa at the South Field of the Oshawa Executive Airport (Ward 2)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That pursuant to Closed Report ED-23-83 dated April 12, 2023, the Commissioner, Economic and Development Services Department be authorized to proceed as outlined in Section 2.0 of said Report.

ED-23-89 - Proposed Terms of Reference for Request for Proposal to Operate a Golf Course on City-owned Land (Ward 2)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

1. That the Terms of Reference for the Request for Proposals to operate a golf course on City-owned land be endorsed as generally set out in Attachment 3 to Report ED-23-89 dated April 12, 2023; and,
2. That, pursuant to Report ED-23-89 dated April 12, 2023, staff be authorized to proceed with the Request for Proposal in general accordance with Attachment 3 to said Report, and report back to the Economic and Development Services Committee and City Council with an overview of any submissions and a recommendation on next steps in the process.

ED-23-90 - Proposed Licence Agreement for the Cordova Valley Clubhouse at 863 Glen Street (Ward 5)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That, pursuant to Closed Report ED-23-90 dated April 12, 2023, the Commissioner, Economic and Development Services Department be

authorized to proceed as outlined in Section 2.0 of said Report.

ED-23-91 - Direction on Proposed Settlement Respecting Appeals of Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision for Lands South of Renaissance Drive, West of Park Road South (Ward 5)

Closed Pursuant to Section 239 (2)(e)(f) of the Municipal Act

Recommendation

That, pursuant to Closed Report ED-23-91 dated April 12, 2023, Legal Services and Economic and Development Services be authorized to advance the recommendation outlined in said Report in regards to appeals filed by SO Developments Inc. for the applications to amend Zoning By-law 60-94 and for approval of a draft plan of subdivision, for lands located south of Renaissance Drive, west of Park Road South.

ED-23-73 - Request to Purchase City-owned Land on the west side of Grandview Street South, south of Dianne Drive (Ward 5)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act

Recommendation

That, pursuant to Closed Report ED-23-73 dated April 12, 2023, the Commissioner, Economic and Development Services Department be directed to advance Option 1 as outlined in Section 5.5.2 of said Report.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

CNCL-23-48 - Requests Regarding Licence Agreements to Install Advertising Benches and Litter Containers at Bus Stops on City and Regional Roads (All Wards)

Closed Pursuant to Section 239 (2)(c) of the Municipal Act.

(See Pages C1 to C67)

Recommendation

That pursuant to Closed Report CNCL-23-48 dated April 26, 2023, City staff be authorized to proceed in accordance with Section 2.0 of said Closed Report.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Items Requiring Council Direction

CNCL-23-46 - Potential Appeal to the Ontario Land Tribunal of a Committee of Adjustment Decision (Ward 3)

Closed Pursuant to Section 239 (2)(e) of the Municipal Act.

(See Pages C68 to C82)

Recommendation

That City Council select an appropriate option as set out in Section 5.2 of Closed Report CNCL-23-46 dated April 26, 2023.

CNCL-23-49 - Stephanie Sinnott, Commissioner, Corporate and Finance Services Department to Provide an Update concerning negotiations for C.U.P.E. Local 251 (Inside Workers) (All Wards)

Closed Pursuant to Section 239 (2)(d) of the Municipal Act.

(Verbal Report)

Rise and Report

Matters Tabled

None

Notices of Motion

CNCL-23-39 - Notice of Motion - Policy for the Disclosure of Ontario Land Tribunal Correspondence (All Wards)

The following notice of motion is submitted by Councillor McConkey, seconded by Councillor Kerr:

Recommendation

Whereas correspondence from the Ontario Land Tribunal (OLT) concerning recent planning decisions pertaining to properties located in the City, are not posted on the City's webpage, but are only emailed to members of Council and staff; and,

Whereas they are matters that have been initially discussed at Committee of Adjustment and Council, with OLT follow-up only going to members of Council and staff the public is not informed of the outcome of the appeals; and,

Whereas by having access to the OLT correspondence members of the public can keep informed;

Now therefore the City of Oshawa adopt a policy for the disclosure of OLT correspondence of emails/letters the City receives from the OLT about appeals in matters that have been before the City of Oshawa Committee of Adjustment and Oshawa Council be forwarded to Council members and staff and be included in an Information Package on the City's website.

Confirming By-Law

A by-law to confirm the City Council meeting of May 1, 2023.

Adjournment



Oshawa City Council Minutes

April 3, 2023, 9:30 a.m.
Council Chamber

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

Absent: Mayor Carter

Public Meeting

Deputy Mayor Chapman presided.

National Anthem

Recognition of Indigenous Lands

The City of Oshawa sits on treaty land that is steeped in rich Indigenous history and is the present day home to many First Nations, Métis and Inuit peoples. We acknowledge that we live and work on land covered under the Williams Treaties, and the traditional territories of the Mississaugas of Scugog Island First Nation.

We acknowledge this land out of respect for the many Indigenous nations who have cared for the lands and waters from the beginning of time and still do so today. We extend our gratitude and appreciation for the opportunity to live and work on this territory.

We are committed to understanding the truth of our shared history, confronting our past and present, and building a better future together in true reconciliation.

Council Member Announcements

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Kerr
Seconded by Councillor McConkey

That Section 15 of Council's Procedure By-law be waived in order to introduce a motion to reconsider a past decision of Council concerning an application for a variance to the Sign By-law for 27 to 33 Simcoe Street South. **(Requires 2/3 vote of members present)**

Affirmative (9): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Giberson

Absent (1): Mayor Carter

Motion Carried (9 to 1)

Moved by Councillor Kerr
Seconded by Councillor McConkey

That Council reconsider its decision of February 22, 2021 concerning Item DS-21-16 being an application submitted by WJW Canada Inc. for a variance to Sign By-law 72-96 for 27 to 33 Simcoe Street South.

Councillor Nicholson challenged the Chair's ruling on the content of the motion to reconsider.

The vote to uphold the Chair's ruling.

Affirmative (9): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, and Councillor Neal

Negative (1): Councillor Nicholson

Absent (1): Mayor Carter

Motion Carried (9 to 1)

The vote to reconsider Council's decision of February 22, 2021 concerning Item DS-21-16.

Affirmative (9): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Giberson

Absent (1): Mayor Carter

Motion Carried (9 to 1)

The following motion was now before Council:

That the request contained in Report DS-21-16 concerning an application for variance to Sign By-law 72-96, 27 to 33 Simcoe Street South, WJW Canada Inc. be denied.

Moved by Councillor Giberson
Seconded by Councillor McConkey

That the motion regarding an application for variance to Sign By-law 72-96 for 27 to 33 Simcoe Street South submitted by WJW Canada Inc. be deferred to the end of the meeting.

Motion Lost

Moved by Councillor Gray
Seconded by Councillor Nicholson

That the motion be put to a vote. **(Requires 2/3 vote of members present)**

Affirmative (4): Councillor Gray, Councillor Kerr, Councillor Lee, and Councillor Marimpietri

Negative (6): Councillor Chapman, Councillor Giberson, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Absent (1): Mayor Carter

Motion Lost (4 to 6)

Moved by Councillor Nicholson
Seconded by Councillor Giberson

That the motion be referred to the appropriate Standing Committee.

Motion Lost

The vote on the motion to deny the application for a sign variance as outlined in Item DS-21-16.

Affirmative (4): Councillor Giberson, Councillor Kerr, Councillor Marks, and Councillor Nicholson

Negative (6): Councillor Chapman, Councillor Gray, Councillor Lee, Councillor Marimpietri, Councillor McConkey, and Councillor Neal

Absent (1): Mayor Carter

Motion Lost (4 to 6)

Moved by Councillor Kerr
Seconded by Councillor McConkey

That the request contained in Report DS-21-16 concerning an application for variance to Sign By-law 72-96 for 27 to 33 Simcoe Street South submitted by WJW Canada Inc. be approved in accordance with Section 5.4.2 of said Report.

Amendment:

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

That the motion be amended to add the words 'for a two year trial period' after the words 'be approved'

Affirmative (6): Councillor Giberson, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor Neal, and Councillor Nicholson

Negative (4): Councillor Chapman, Councillor Gray, Councillor Kerr, and Councillor McConkey

Absent (1): Mayor Carter

Motion Carried (6 to 4)

The vote to adopt the motion to approve a variance to Sign By-law 72-06 for 27 to 33 Simcoe Street South submitted by WJW Canada Inc., as amended

Affirmative (9): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Giberson

Absent (1): Mayor Carter

Motion Carried (9 to 1)

Declarations of Pecuniary Interest

Councillor Marimpietri - ED-23-48 - Results of Request for Expression of Interest, Lot 16 (Ward 4)

He has family members whom own property and operate a business within the area and did not take part in discussion or voting on the matter.

Councillor Neal - CNCL-23-37 - Oshawa Senior Community Centres Board of Directors - Nomination for the 2023 Senior of the Year Award (All Wards)

He sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+) and did not take part in discussion or voting on the matter.

Presentations

Certificates of Recognition - 2023 Community Organization Volunteer Award

Deputy Mayor Chapman recognized the following 2023 Community Organization Volunteer Award recipients:

- John Fair, Oshawa Senior Community Centres 55+
- Lynn Morrison, Oshawa Senior Community Centres 55+
- Mary Ann Gillman, Lakeridge Health Oshawa
- Pam Foote, Lakeridge Health Oshawa

Certificates of Recognition - Durham College Rugby

Deputy Mayor Chapman presented Certificates of Recognition to players Patrick Lynch and Megan Bint on behalf of the women and men's Durham Lords Rugby teams in recognition of their 2022 gold medal, undefeated season.

Delegations

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the delegation of Robert Small be heard. **(Requires 2/3 vote of members present)**

Motion Carried

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the delegation of Mike Byrne be heard.

Motion Carried

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the meeting recess.

The meeting recessed at 10:34 a.m. and reconvened at 10:40 a.m. with all Members of Council in attendance except Councillor Marks.

Motion Carried

Robert Small - Item CO-23-12

Robert Small addressed City Council concerning Item CO-23-12 regarding a petition for pedestrian crossover on Coldstream Drive near Bloom Senior Residence.

Councillor Marks re-entered the meeting during the delegation.

Moved by Councillor Neal
Seconded by Councillor Nicholson

That the delegation's time be extended by 2 minutes.

Motion Carried

Robert Small continued to address City Council concerning Item CO-23-12 regarding a petition for pedestrian crossover on Coldstream Drive near Bloom Senior Residence.

Members of Council questioned Robert Small.

Mike Byrne - Item CO-23-11

Mike Byrne addressed City Council concerning Item CO-23-11 regarding memorials and recognizing unmarked graves.

Items requiring Council Direction

CNCL-23-34 - Robert McLaughlin Gallery's Board of Directors Requesting Leasehold Improvements to Arthur's on the 4th, Robert McLaughlin Gallery (Ward 4)

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

That Correspondence Item CNCL-23-34 concerning Robert McLaughlin Gallery's Board of Directors requesting Leasehold Improvement to Arthur's on the 4th be referred to the Economic and Development Services Committee.

Motion Carried

Public Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated April 3, 2023 be adopted as recommended except:

Items CO-23-11, CO-23-12 and CO-23-15 from the Fourth Report of the Community and Operations Services Committee; and,

Items CF-23-16, CF-23-17 and CF-23-15 from the Fourth Report of the Corporate and Finance Services Committee; and,

Items ED-23-41, ED-23-38, ED-23-39 and ED-23-43 from the Seventh Report of the Economic and Development Services Committee; and,

Items SF-23-13 and SF-23-12 from the Fourth Report of the Safety and Facilities Services Committee; and,

Report CNCL-23-37.

Motion Carried

Adoption of Council Minutes

That the minutes of the City Council meetings held on February 21 and February 27, 2023 be adopted.

Correspondence with recommendations

CNCL-23-35 - Ann Barker Submitting Comments in Support of Item ED-23-41 (Ward 3)

That Correspondence CNCL-23-35 from Ann Barker submitting comments in support of Item ED-23-41 regarding a request for a Heritage Conservation District Study in the Maxwell Heights Community be referred to Item ED-23-41.

CNCL-23-36 - Robert Small Submitting Comments concerning Item CO-23-12 (Ward 1)

That Correspondence CNCL-23-36 from Robert Small submitting comments concerning Item CO-23-12 regarding a petition for pedestrian crossover on Coldstream Drive near Bloom Senior Residence be referred to Item CO-23-12.

CNCL-23-33 - Region of Durham Requesting Nominations for the Durham Active Transportation Committee (All Wards)

That in accordance with Correspondence CNCL-23-33 from the Region of Durham dated November 22, 2022, Robert Astley be nominated to the Durham Active Transportation Committee for a four-year term corresponding with the term of Regional Council or until such time as new appointments are made.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-23-13 - Community and Operations Services Committee Outstanding Items List - First Quarter 2023 (All Wards)

That Report CO-23-13, dated March 14, 2022 being the Community and Operations Services Committee's Outstanding Items Status Report for the first quarter of 2023 be received for information.

Report of the Corporate and Finance Services Committee

CF-23-19 - Monthly Newsletter on the City of Oshawa Website (Previously OACAC-22-26) (All Wards)

That based on Report CF-23-19 being a report of the Oshawa Animal Care Advisory Committee withdrawing the motion to feature a monthly newsletter on the City of Oshawa website concerning wildlife be received for information.

CF-23-13 - Corporate Payments for the Month of December 2022 (All Wards)

That Report CF-23-13 concerning the corporate payments for the month of December 2022 be received for information.

CF-23-14 - 2022 Annual Investment Report (All Wards)

That Report CF-23-14 dated March 1, 2023 concerning the 2022 annual investment activity be received for information.

CF-23-18 - Community Benefit Charge Strategy Feedback (All Wards)

That pursuant to Report CF-23-18 concerning the Community Benefit Charge Strategy Feedback, dated March 1, 2023, the Community Benefit Charge be approved with an effective date of May 1, 2023.

CF-23-20 - Corporate and Finance Services Committee Outstanding Items List Status Report - First Quarter 2023 (All Wards)

That Report CF-23-20, dated March 1, 2023 being the Corporate and Finance Services Committee's Outstanding Items List Status Report for the first quarter of 2023 be received for information.

CF-23-21 - Appointments to Various Advisory Committees (All Wards)

1. That in accordance with Section 5.4 of Council's Advisory Committees of Council Policy and Procedure, the seat of the absentee member from the Oshawa Environmental Advisory Committee be declared vacant; and,
2. That Rick Harrington be appointed to the Oshawa Active Transportation Advisory Committee for a term ending November 14, 2024; and, Christopher Biancaneillo and Joseph Young be appointed to the Oshawa Environmental Advisory Committee for terms ending November 14, 2023 and November 14, 2024 respectively; and, Adeel Haq be appointed to the Oshawa Accessibility Advisory Committee for a term expiring November 14, 2024.

Report of the Economic and Development Services Committee

ED-23-51 - Oshawa Engineering Sidewalk Standards (Formerly OAAC-23-11) (All Wards)

That Report ED-23-51 from the Oshawa Accessibility Advisory Committee concerning the Oshawa Engineering Sidewalk Standards be referred to the Consultant undertaking the updating to the Engineering Design Standards.

ED-23-55 - Impacts of Bill 23 on the City of Oshawa Register of Properties of Cultural Heritage Value or Interest (Wards 3 and 4)

That, pursuant to Report ED-23-55 dated March 1, 2023, Economic and Development Services staff be authorized to retain the services of a qualified heritage consultant to:

1. Prepare a Heritage Research Report for Union Cemetery, including a Statement of Cultural Heritage Value or Interest, a detailed listing of heritage attributes, and report back to the Economic and Development Services Committee in Q4 2023 with a recommendation concerning designation of the property, based upon the Heritage Research Report; and,
2. Prepare a supplemental Heritage Research Report for 149 Harmony Road South, including a Statement of Cultural Heritage Value or Interest, a detailed listing of heritage attributes;
 - a. Provide the Owner of 149 Harmony Road South with the supplemental Heritage Research Report, and request an updated position on heritage designation of the property; and,

- b. Report back to the Economic and Development Services Committee in Q4 2023 with a recommendation concerning designation of the property, including the supplemental Heritage Research Report and the updated stance from the Owner; and,
3. Prepare a Heritage Research Report for the Robert McLaughlin Gallery site, including a Statement of Cultural Heritage Value or Interest, a detailed listing of heritage attributes, and report back to the Economic and Development Services Committee in Q4 2023 with a recommendation concerning designation of the property, based upon the Heritage Research Report; and,
4. Prepare a Heritage Research Report for Memorial Park, including a Statement of Cultural Heritage Value or Interest, a detailed listing of heritage attributes, and report back to the Economic and Development Services Committee in Q4 2023 with a recommendation concerning designation of the property, based upon the Heritage Research Report.

ED-23-44 - Transfer of Ownership of Pedestrian Bridge – Taunton Road West at Oshawa Creek (Ward 2)

Whereas, the Region had planned work on an existing road structure on Taunton Road West, between Stevenson Road North and Northbrook Street; and,

Whereas, the need for a pedestrian connection was identified to maintain the connection over the existing bridge; and,

Whereas, the Region investigated different options including replacing the existing road structure while widening the existing sidewalks, rehabilitating the existing structure while cantilevering the existing sidewalks and rehabilitating the existing structure while building a separate pedestrian structure adjacent to the road structure; and,

Whereas, through the design phase the Region determined it was financially beneficial to rehabilitate the existing road structure while constructing a separate pedestrian facility; and,

Whereas, under Durham Region Contract D2015-017, the Region constructed a pedestrian bridge across the Oshawa Creek along Taunton Road West; and,

Whereas, the pedestrian bridge completes the multi-use path connection across the Oshawa Creek on the south side of Taunton Road West, from Stevenson Road North to Northbrook Street; and,

Whereas, this connection is identified as a cycling infrastructure in the approved Regional Cycling Plan and the City of Oshawa's Active Transportation Master Plan; and,

Whereas, in current practice the responsibility for the construction of pedestrian facilities along Regional right-of-ways, including sidewalks and multi-use path connections, is shared between the City and the Region, where the Region supplies and funds the platform and the City funds the surface works; and,

Whereas, the City is responsible for all costs related to the operation, maintenance, repair and replacement of pedestrian facilities along Regional right-of-ways; and,

Whereas, under Durham Region Contract D2015-017, the Region fully funded the design and construction of the pedestrian bridge at no cost to the City; and,

Whereas, the Region has notified the City of their intent to transfer ownership and responsibility for the pedestrian bridge to the City, including its operating and maintenance costs and full management control of the structure; and,

Whereas, following the transfer of ownership of the pedestrian bridge, the Region will have no obligations or responsibility in any way to provide, operate, maintain, replace or guarantee any facility or equipment required for the structure or any part thereof; and,

Whereas, following the transfer of ownership of the pedestrian bridge, the City will be 100% responsible for all costs and expenses, directly or indirectly related to the operation, maintenance, repair and replacement of the structure and will assume full control of the structure; and,

Whereas, City staff have no objection to the transfer of the pedestrian bridge to the City;

Therefore be it resolved that the Commissioner, Economic and Development Services Department be authorized to finalize the conditions for the transfer of ownership of the pedestrian bridge to the City, to the satisfaction of the Commissioner, Economic and Development Services Department, Commissioner, Community and Operations Services Department, and the City Solicitor, and that the updated agreement be executed.

ED-23-46 - Envision Durham Municipal Comprehensive Review: City Comments on the Region of Durham's Draft Official Plan (All Wards)

1. That Report ED-23-46 dated March 1, 2023 be endorsed as the City's comments on the Region of Durham's Draft Official Plan prepared pursuant to the Envision Durham Municipal Comprehensive Review exercise; and,
2. That staff be authorized to forward a copy of Report ED-23-46 dated March 1, 2023 and the related Council resolution to the Region of Durham and Durham area municipalities.

ED-23-47 - Results of Stage 1 of the Integrated Major Transit Station Area Study for Central Oshawa (Wards 4 and 5)

1. That, pursuant to Report ED-23-47, dated March 1, 2023, staff be authorized to advance the public consultation process under Stage 2 of the Integrated Major Transit Station Area Study to Develop a Land Use and Transportation Plan and Environmental Study Report for the Central Oshawa Major Transit Station Area, in accordance with the Council approved Terms of Reference, as follows:
 - a. Schedule Public Information Centre Number 2 to be held in the second quarter of 2023, to be held at Oshawa City Hall in-person but also offering a virtual forum, for the purpose of presenting for public review and input the land use and transportation alternative solutions for the Integrated Major Transit Station Area Study; and,
 - b. Provide notice of the public consultation process for Stage 2 of the Integrated Major Transit Station Area Study as generally outlined in Section 5.4.1 of said Report.

2. That Parsons Inc. present to the Economic and Development Services Committee the land use and transportation alternative solutions for the Integrated Major Transit Station Area Study, prior to the holding of Public Information Centre Number 2.
3. That upon concluding the public consultation process for Stage 2 of the Integrated Major Transit Station Area Study, staff be directed to report back to the Economic and Development Services Committee with the results of the public consultation.

ED-23-49 - Economic and Development Services Committee Outstanding Items List Report - First Quarter (All Wards)

That Report ED-23-49, dated February 28, 2022 being the Economic and Development Services Committee's Outstanding Items Status Report for the first quarter of 2023 be received for information.

ED-23-53 - Revised Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Downing Street (Ritson Road) Inc., Lands east of Ritson Road North, north of Adelaide Avenue East (Ward 4)

1. That, pursuant to Report ED-23-53 dated March 1, 2023, the revised application submitted by Downing Street (Ritson Road) Inc. to amend the Oshawa Official Plan (File: OPA-2021-05) to re-designate the southern portion of the lands generally located east of Ritson Road North, north of Adelaide Avenue East from Industrial – Regeneration Area to Residential be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
2. That, pursuant to Report ED-23-53 dated March 1, 2023, the revised application submitted by Downing Street (Ritson Road) Inc. to amend Zoning By-law 60-94 (File: Z-2021-10) to rezone the lands generally located east of Ritson Road North, north of Adelaide Avenue East from R2 (Residential) and GI (General Industrial) to an appropriate R6-B (Residential) Zone to permit the development of 154 stacked townhouse units be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department and the City Solicitor; and,
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-22-23 dated February 2, 2022 presented at the public meeting of February 7, 2022 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation in Report ED-23-53, such differences are not substantial enough to require further notice and another public meeting.

ED-23-54 - City Comments on “Municipal Reporting on Planning Matters – Proposed Minister’s Regulation under the Planning Act” (All Wards)

1. That, pursuant to Report ED-23-54 dated March 1, 2023, the comments contained in Section 5.3 of said Report be endorsed as the City's comments on the Province's

“Municipal Reporting on Planning Matters – Proposed Minister’s Regulation under the Planning Act.”; and,

2. That staff be authorized to submit the comments contained in Report ED-23-54 dated March 1, 2023 related to the “Municipal Reporting on Planning Matters – Proposed Minister’s Regulation under the Planning Act” to the Province to meet the March 8, 2023 deadline in response to Notice 019-6619 posted on the Environmental Registry of Ontario website, and to provide subsequent follow-up once Council has considered this matter on April 3, 2023; and,
3. That staff be authorized to forward a copy of Report ED-23-54 dated March 1, 2023 and the related Council resolution to the Region of Durham, Durham area municipalities, Durham area M.P.P.s, the Durham Chapter of the Building Industry and Land Development Association and the Durham Region Home Builders’ Association.

Report of the Safety and Facilities Services Committee

SF-23-10 - Vacant Building and Land Registry By-law (All Wards)

That Report SF-23-10, dated March 15, 2023, concerning the Vacant and Building Land Registry By-law be referred back to Staff to report on the legislative and legal options to expand section 8.1.4 of the Property Standards By-law (Repair or Demolish Vacant Buildings) under the pretext of the establishment of a new vacant buildings registry. The amended report shall include detail about the following:

- a. A new abridged timeframe for demolition, (Currently 24 months). Staff are to report to committee on a new 12 month timeframe. If 24 months is statutorily set, any and all options to engage other levels of government to discuss proposals for adjustments; and,
- b. Once the timeframe for compliance of the by-law has been breached, staff are to report on all the logistic and legal ramifications to expedite an order for demolition; and,
- c. The current by-law 8.1.4., orders the property owner to commence demolition on their own, with no specific timeframe. Staff are to report on all ramifications of the City assuming control of the demolition with costs of such work levied on the infracting property owner; and,
- d. Staff are to report on the advisability of including a demolition time line in the newly proposed vacant buildings registry; and,
- e. Staff to report by next meeting of the Safety and Facilities Services Meeting.

SF-23-09 - Municipal Law Enforcement Tools, Enforcement Approach and Cost Recovery Efforts (All Wards)

That Council direct Municipal Law Enforcement to continue with a compliance-focused and risk-based enforcement approach with an emphasis on continuing and/or implementing the action items as detailed in Sections 5.3 and 5.4 of Report SF-23-09, “Municipal Law Enforcement Tools, Enforcement Approach and Cost Recovery Efforts”, dated March 15, 2023.

SF-23-11 - Potential Consolidated Fire Services Dispatch Centre (All Wards)

1. That Council endorse, in principle, the plan for a potential consolidated Fire Services Dispatch Centre as outlined in Report SF-23-11, dated March 15, 2023; and,
2. That the Fire Chief be directed to advance discussions with the Town of Ajax to determine potential financial and administrative costs associated with a potential consolidated Fire Services Dispatch Centre; and,
3. That staff report back with the potential costs and implementation plan.

SF-23-15 - Lighting Options for the Michael Starr Trail (Ward 5)

That Staff investigate the feasibility and options for lighting the Michael Starr Trail between Bruce Street and Front Street and report back in the Third Quarter, 2023.

Report of the Joint Economic and Development and Corporate and Finance Committees

ED-23-60 - Development Services Staff Request (All Wards)

1. That Council approve the hiring of three temporary or contract resources for Engineering Services as outlined in Report ED-23-60 dated March 15, 2023; and,
2. That the temporary staff or contract resources be funded from the Subdividers Fixed Fees account.

Other Staff Reports and Motions

CNCL-23-32 - Proposed Amendment to Sign By-law 72-96 to Permit Sandwich Board Signs in the Central Business District Zones in the Downtown Oshawa Urban Growth Centre (Ward 4)

1. That, pursuant to Report CNCL-23-32 dated March 29, 2023, sandwich board signs in the Central Business District Zones in the Downtown Oshawa Urban Growth Centre be permitted and the proposed by-law to amend Sign By-law 72-96, as amended, to give effect to the same be approved, as generally set out in Attachment 3 of said Report, and that an appropriate formal by-law be passed in a form and content acceptable to the City Solicitor and the Commissioner, Economic and Development Services Department; and,
2. That, pursuant to Report CNCL-23-32 dated March 29, 2023, the notice provisions of By-law 147-2007 (e.g. newspaper advertisements) be waived concerning notice for any proposed amendment to Sign By-law 72-96 in consideration of the sandwich board pilot project, which has had a duration of six years, being made permanent in the event Part 1 of this recommendation is approved; and,
3. That a copy of Report CNCL-23-32 dated March 29, 2023, and the related Council resolution be sent to the Region of Durham.

By-Laws

The following By-laws were passed:

31-2023 - A By-law to Adopt Amendment 213 to the City of Oshawa Official Plan

(Implements direction of April 3, 2023 through Item ED-23-53 of the Seventh Report of the Economic and Development Services Committee to redesignate certain lands generally located east of Ritson

Road North, north of Adelaide Avenue East, from Industrial within a Regeneration Area to Residential.)

32-2023 - A By-law to amend Zoning By-law 60-94, as amended

(Implements direction of April 3, 2023 through Item ED-23-53 of the Seventh Report of the Economic and Development Services Committee to amend Zoning By-law 60-94 to permit the development of 154 stacked townhouse units on lands generally located east of Ritson Road North, north of Adelaide Avenue East.)

33-2023 - A By-law to further amend Sign By-law 72-96, as amended

(Implements direction of April 3, 2023 through Report CNCL-23-32 to further amend Sign By-law 72-96, as amended, to permit sandwich board signs in the Central Business District Zones in the Downtown Oshawa Urban Growth Centre.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

CNCL-23-37 - Oshawa Senior Community Centres Board of Directors - Nomination for the 2023 Senior of the Year Award (All Wards)

Councillor Neal declared a conflict on this item. (He sits on the Board of Directors for the Oshawa Senior Citizens Centre (OSCC55+) and did not take part in discussion or voting on the matter.)

That in accordance with Correspondence CNCL-23-37 from the Oshawa Senior Community Centres Board of Directors, Council endorse the nomination of David Andrews for the 2023 Senior of the Year Award.

Affirmative (9): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, and Councillor Nicholson

Conflict (1): Councillor Neal

Absent (1): Mayor Carter

Motion Carried (9 to 0)

CO-23-11 - Memorials, Recognizing Unmarked Graves (Ward 4)

Consent Motion:

That pursuant to Report CO-23-11, dated March 15, 2023, concerning the memorials, recognizing unmarked graves, the Community and Operations Services Committee select an appropriate option as set out in Section 5.5

Moved by Councillor Nicholson

Seconded by Councillor McConkey

That the recommendation contained in CO-23-11 concerning Memorials, Recognizing Unmarked Graves be referred back to the Community and Operations Services Committee and that staff

approach the Region of Durham to review the compensation provided for burials and related services provided.

Motion Carried

CO-23-12 - Petition for Pedestrian Crossover on Coldstream Drive near Bloom Senior Residence (Ward 1)

Consent Motion:

That pursuant to Report CO-23-12 dated March 15, 2023, concerning the petition for pedestrian crossover on Coldstream Drive near Bloom Senior Residence, that a pedestrian crossover (PXO) not be installed on Coldstream Drive near Bloom Senior Residence (1224 Coldstream Drive).

Moved by Councillor Neal

Seconded by Councillor McConkey

That Item CO-23-12 concerning a petition for pedestrian crossover on Coldstream Drive near Bloom Senior Residence be referred back to staff to report back to the Community and Operations Services Committee.

Affirmative (7): Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (3): Councillor Chapman, Councillor Gray, and Councillor Marks

Absent (1): Mayor Carter

Motion Carried (7 to 3)

Moved by Councillor McConkey

Seconded by Councillor Neal

That the meeting recess for 20 minutes.

Motion Lost

CO-23-15 - Defibrillator Battery Replacement in City-owned Park Clubhouses (All Wards)

Consent Motion:

Whereas lifesaving devices known as defibrillators (Automatic External Defibrillators) are installed in many of our Park Clubhouses; and,

Whereas these batteries need to be replaced from time to time; and,

Whereas there may be sponsorship opportunities available to fill this need; and,

Therefore be it resolved:

1. That staff be authorized to replace these batteries on an as needed basis and to search for sponsorship opportunities; and,

2. That a copy of this motion be sent to the Oshawa Central Council of Neighbourhood Associations (O.C.C.N.A.).

The vote to adopt the recommendation contained in Item CO-23-15.

Motion Carried

CF-23-16 - Additional Funding - HVAC Replacement Fire Hall 1 (Ward 4)

Consent Motion:

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

Whereas, Council approved Project #21-10-0034 Retrofit of Air Distribution System and HVAC – Fire Hall 1 in the amount of \$750,000 including non-rebateable H.S.T.; and,

Whereas, through the Request for Tender (R.F.T.) process, the contract was awarded to Mapleridge Mechanical Contracting in 2022 and Council approved an additional \$596,000 in funding however the contract with Mapleridge Mechanical Contracting was subsequently cancelled; and,

Whereas, Procurement issued a new Request for Tender (R.F.T.) C2022-114 HVAC Replacement - Fire Hall #1 with a revised scope; and,

Whereas, a total of four (4) bids were received and opened by Procurement on January 18, 2023 of which two bids were responsive and responsible, but over budget; and,

Whereas, the Purchasing By-law 80-2020, 5.02e allows for negotiation where the lowest responsive and responsible bid received through a Request for Tender substantially exceeds the estimated cost of the Goods and/or Services; and,

Whereas, Procurement and Facilities Management Services staff negotiated an amount of \$1,160,200 excluding H.S.T. with the lowest compliant bidder; and,

Whereas, current financial commitments for Project #21-10-0034 are approximately \$465,000, for the completion of design, tender preparation and equipment purchase; and,

Whereas, there is a funding shortfall in the amount of \$300,000, including non-rebateable H.S.T.; which Finance Services has confirmed can be funded from the 2022 Operating Surplus;

Therefore be it resolved, that the additional funds of \$300,000 required to award and progress Project #21-10-0034 for HVAC upgrades at Fire Hall 1 be approved and authorize the Manager, Procurement and Accounts Payable to award a contract to Canadian Tech Air Systems in the amount of \$1,160,200, plus H.S.T. for HVAC Replacement - Fire Hall 1.

The vote to adopt the recommendation contained in Item CF-23-16.

Motion Carried

CF-23-17 - Call for Proposals for Canada's 2 Billion Trees Program (All Wards)

Consent Motion:

Whereas, the City's tree canopy has been heavily impacted by extreme weather (drought, wind, ice storms), hotter temperatures, disease (pine wilt) and invasive species (emerald ash borer); and,

Whereas, these challenges combined with an aging canopy are impacting the resiliency of the City's urban tree canopy and limiting its effectiveness to respond to the needs of a changing climate; and,

Whereas, trees are an appreciating asset and play a critical role in mitigating impacts of climate change by cleaning our air, lowering average temperatures to reduce the impacts of extreme heat events, and capturing stormwater runoff to help minimize flooding; and,

Whereas, staff have identified a number of areas within greenspaces, natural areas and along rural roads where reforestation and enhancement plantings would help ensure that the City's urban tree canopy is diverse in not only species but age thereby safeguarding the resiliency of our urban forest into the future; and,

Whereas, In 2019, the Government of Canada committed to supporting governments and organizations in planting an additional two billion new trees over the next 10 years as a broader approach to nature-based climate solutions, with the goal of achieving significant carbon sequestration, GHG reductions, habitat restoration, biodiversity and increased human well-being and environmental co-benefits; and,

Whereas, Natural Resources Canada (NRCan) has launched an ongoing call for proposals through the 2 Billion Trees (2BT) program that aims to put into place financial assistance agreements with proponents to motivate and support new tree planting projects; and,

Whereas, eligible applicants/recipients include:

- a municipal or local government or one of their agencies, or a regional municipal organization;
- a not-for profit organization, registered in Canada, such as a charity, volunteer, community, professional, industry or other association, land conservation or non-government organization;
- a for-profit organization (legally incorporated or registered in Canada);
- an organization looking to be a project aggregator and coordinate collective tree planting action by various participants from across a specific region; and,

Whereas, applicants for all tree planting funding streams should demonstrate proven capacity to:

- manage tree planting projects successfully;
- plant the right tree in the right place;
- support the 2BT program's goal of planting diverse tree species;
- monitor tree survival and report on project outcomes;
- demonstrate compliance with applicable health and safety protocols; and,

Whereas, NRCan has identified an Urban/Suburban Stream within the 2BT program that supports projects in and around population centres including urban planting/riparian zone work, planting in

parks and conservation areas, and other tree planting projects focused on supporting ecosystem improvements and resident needs; and,

Whereas, this Stream allows for planting to occur, as long as the average number of trees planted per calendar year is equal to or greater than 10,000 (January to December) across multiple sites in and around urban areas, population centres or communities, with NRCan encouraging collaborative project proposals in order to meet the criteria of the funding; and,

Whereas, the 2BT program is a merit-based competitive process that first assesses whether projects meet the mandatory eligibility criteria, and then will undergo a robust evaluation process to determine if the project meets the goals and adheres to the principles, including the requirement for project completion by March 31, 2031; and,

Whereas, the Region of Durham, other area municipalities, colleges and universities, and other agencies such as local conservation authorities, LEAF and Trees for Life have approached the City to participate in a partnership application in order to meet the planting criteria under the Urban/Suburban Stream; and,

Whereas, City staff attended a launch meeting where Trees for Life proposed to coordinate application for a multi-year project (2024 to 2028) on behalf of the Durham Region partners; and,

Whereas, for the purposes of this grant, Trees for Life would assume the role of aggregator which includes administration, distribution of funds and signing of funding agreements for projects and activities that align with the program; and,

Whereas, Trees for Life is a charitable organization that works with community partners across Canada to plant trees in communities and were involved in the Highway of Heroes Tree Campaign as well as being successful to funding through the 2BT program in 2021; and,

Whereas, this partnership would allow the City to leverage the skills and resources in the completion of the application while also collaborating with other agencies and municipalities across Durham Region to complete the planting projects; and,

Whereas, Trees for Life will compile details from each partner agency (listed above) related to their specific planting projects and cost sharing ability in order to determine if the collaboration would be viable prior to submitting an application by April 13, 2023; and,

Whereas, it is expected that notification of the funding would be received in October 2023 allowing the multi-year planting project to begin in 2024; and,

Whereas, staff propose a reforestation project in which the funding would assist with the planting of 2,500 trees per year over 5 years for a total of 12,500 trees within greenspaces, creek corridors and along rural roads; and,

Whereas, the funding would allow staff to expand efforts, resources and attention into the City's valuable natural spaces; and,

Whereas, the estimated cost of the proposed reforestation planting project is \$155,000 per year; and,

Whereas, the maximum NRCan contribution for eligible projects is 50% of eligible expenditures; and,

Whereas, should the partnership application proceed and be successful in receiving the funding, the City can fund their 50% share of the project budget through uncommitted funds in the Operations Reserve for a total of \$387,500 (\$77,500 per year from 2024 to 2028);

Therefore, be it resolved:

1. That a budget of \$77,500 annually from 2024 to 2028 to be funded from the Operations Reserve for the City's share of the 2BT program be approved; and,
2. That the City's collaboration with Trees For Life for the submission of Oshawa's tree planting project in the application to the 2 Billion Trees program for a total amount of \$387,500 (\$77,500 per year from 2024 to 2028) be approved; and,
3. That a letter of support be provided to Trees For Life to demonstrate the City's commitment to the project and funding.

The vote to adopt the recommendation contained in Item CF-23-17.

Motion Carried

CF-23-15 - Contract Award – O23-08 Hillcroft Street and Central Park Boulevard N Culvert Replacement (Ward 4)

Consent Motion:

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

Whereas, Council approved funding for Projects 22-71-0079 and 23-71-0079 in the amounts of \$3,053,000 and \$1,085,000 respectively, for a total of \$4,138,000 including non-rebateable H.S.T. for Hillcroft Street Culvert Replacement; and,

Whereas, Procurement issued a Request for Tender (R.F.T.) O23-08 for Hillcroft Street and Central Park Boulevard North Culvert Replacement; and,

Whereas, five (5) bids were received and opened by Procurement on March 1, 2023; 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 \$2,985,858 plus H.S.T. (\$3,010,934 including non rebateable H.S.T.) meets the requirements of the tender; and,

Whereas, it is anticipated the Region of Durham will contribute a minimum of \$245,000 including non-rebateable H.S.T. for their portion of the work;

Therefore, be it resolved that Council authorize the Manager, Procurement and Accounts Payable to award a contract to 614128 Ontario Ltd o/a Trisan Construction in the amount of \$2,985,858 plus H.S.T. for O23-08 Hillcroft Street and Central Park Boulevard North Culvert Replacement.

The vote to adopt the recommendation contained in Item CF-23-15.

Motion Carried

ED-23-41 - Request for a Heritage Conservation District Study in the Maxwell Heights Community (Formerly HTG-23-08) (Ward 3)

Consent Motion:

That Item ED-23-41, dated December 28, 2023, concerning the request for a Heritage Conservation District Study in the Maxwell Heights Community be received for information.

The vote to adopt the recommendation contained in Item ED-23-41.

Motion Carried

ED-23-38 - Request for a Franchise Renewal between Enbridge Gas and the City of Oshawa (All Wards)

Consent Motion:

Whereas, on November 20, 2022, the Economic and Development Services Committee considered Correspondence ED-22-215, being a request from Enbridge Gas for the renewal of a franchise agreement; and,

Whereas, on November 24, 2022, the Economic and Development Services Committee referred ED-22-215 to staff for a report; and,

Whereas, the City of Oshawa and Enbridge Gas entered into an agreement in 2003 to authorize the gas company to enter on City road allowances to install and maintain their distribution systems and establish conditions of occupancy, and;

Whereas, the current agreement was approved by Council and executed on July 21, 2003 (see Attachment 1), and;

Whereas, the original term of the agreement was for 20 years with the provisions for renewal at the City's discretion for further periods not exceeding 20 years, and;

Whereas, the terms and conditions of the current agreement have been reviewed and remain valid; and,

Whereas, Enbridge Gas is a valued and respected industry partner who has recently collaborated with City staff to provide gas services to employment areas of the City and enable job creation;

Therefore be it resolved that staff be authorized to update the current agreement, to the satisfaction of the Commissioner, Economic and Development Services Department and the City Solicitor, for a term of no greater than 20 years, and that the updated agreement be executed in accordance with the City's delegation by-law.

Moved by Councillor Marks

Seconded by Councillor Neal

That Item ED-23-38 concerning the request for a Franchise Renewal between Enbridge Gas and the City of Oshawa be referred staff for inclusion in the upcoming report on the municipal consent process.

Motion Carried

ED-23-39 - Road Rationalization (All Wards)

Consent Motion:

That, pursuant to Report ED-23-39 dated March 1, 2023, staff be authorized to include the list of currently proposed candidate roads that are considered as part of the road rationalization project in the City's Update to the Integrated Transportation Master Plan for further evaluation.

The vote to adopt the recommendation contained in Item ED-23-39.

Motion Carried

ED-23-43 - City-initiated Amendments to the Oshawa Official Plan, Windfields Part II Plan, Zoning By-law 60-94, and Brownfields Renaissance, Simcoe Street South Renaissance and Wentworth Street West Community Improvement Plans (All Wards)

Consent Motion:

That, pursuant to Report ED-23-43 dated March 1, 2023, the Economic and Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider proposed City-initiated amendments to the Oshawa Official Plan, Windfields Part II Plan, Zoning By-law 60-94, Brownfields Renaissance Community Improvement Plan, Simcoe Street South Renaissance Community Improvement Plan and Wentworth Street West Community Improvement Plan, generally in accordance with Attachments 1 and 2 to said Report.

The vote to adopt the recommendation contained in Item ED-23-43.

Motion Carried

SF-23-13 - Options to Amend Fireworks By-law 59-2014 (All Wards)

Consent Motion:

That staff be directed to proceed with a public and industry consultation as detailed in Section 5.4.4 of Report SF-23-13 "Options to Amend Fireworks By-law 59-2014", dated March 15, 2023, on the proposed policy options related to the issue of fireworks and Fireworks By-law 59-2014.

The vote to adopt the recommendation contained in Item SF-23-13.

Motion Carried

SF-23-12 - Safety and Facilities Services Committee Outstanding Items List Status Report - First Quarter 2023 (All Wards)

Consent Motion:

1. Whereas it is the City's practice to continuously seek funding from grants or sponsorships; and, Whereas Coldstream Park is an established City park and therefore not under the purview of Facilities Management Services; and, Whereas Corporate Sponsorships or Partnerships are under the purview of Recreation Services in the Community and Operations Services Department; Therefore, that Item 1 concerning a Basketball Court at Coldstream Park be removed from the Safety and Facilities Services Outstanding Items List and placed on the Community and Operations Services Outstanding Items List; and,
2. Whereas City Council approved capital improvements to Baker Park as part of the 2023 Capital Budget; and, Whereas a potential pathway behind Eastdale Public School will be considered as part of the due diligence work for these improvements; Therefore, that Item 11 concerning a potential pathway behind Eastdale Public School be removed from the Safety and Facilities Services Outstanding Items List; and,
3. Whereas the timing of other construction work being completed on the Michael Starr Trail by the Region of Durham conflicted with timelines required to apply for the Parks and Recreation Ontario Fund; and, Whereas despite the inability to apply for said funding, staff investigated the feasibility of the installation of lighting for the Michael Starr Trail; and, Whereas the width of the trail is not sufficient to permit adequate lighting on this section of the trail; Therefore, that Item 12 concerning lighting for the Michael Starr Trail be removed from the Safety and Facilities Outstanding Items List; and,
4. That the remainder of the Safety and Facilities Outstanding Items List be received for information.

A request was made to vote on each part separately.

The vote on Parts 1 and 2 contained in Item SF-23-12.

Motion Carried

The vote on Part 3 contained in Item SF-23-12.

Motion Lost

The vote on Part 4 contained in Item SF-23-12.

Motion Carried

Items Pulled from the Information Package

None

Recess

Closed Consent Agenda

Moved by Councillor Marks
Seconded by Councillor Kerr

That all items listed under the heading of Closed Consent Agenda for the April 3, 2023 Council meeting be adopted as recommended except Item ED-23-48 from the Eighth Report of the Economic and Development Services Committee.

Motion Carried

Correspondence with recommendations

None

Standing Committee Reports

Report of the Community and Operations Services Committee

None

Report of the Corporate and Finance Committee Services

None

Report of the Economic and Development Services Committee

ED-23-56 - Stakeholder Consultation Report on the Proposed Redevelopment of 47 Bond Street West (Ward 4)

1. That City staff be directed to issue an open Request for Proposal generally consistent with Section 3.2 of Attachment 1 to this Report; and,
2. That City staff be directed to structure the Request For Proposal in order to maximize the value to the City, and encourage respondents to explore potential feasibility of interim uses and the construction of mid-rise mixed-use building(s), of which proportion will be affordable housing, with a definition of affordable housing in the context of this project to be negotiated as part of the RFP process; and,
3. That City staff be directed to retain the appropriate real estate and/or redevelopment advisory resources, as appropriate and at levels of experience and expertise commensurate with the level of complexity of the project, acting on behalf of the City of Oshawa's interests.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

ED-23-48 - Results of Request for Expression of Interest, Lot 16 (Ward 4)

Councillor Marimpietri declared a conflict on this item. (He has family members whom own property and operate a business within the area and did not take part in discussion or voting on the matter.)

Consent Motion:

Therefore, be it resolved that pursuant to Closed Item ED-23-48 concerning Lot 16, Economic and Development Services staff be authorized to proceed as set out in said Closed Item.

The vote to adopt the recommendation contained in Item ED-23-48.

Affirmative (9): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Conflict (1): Councillor Marimpietri

Absent (1): Mayor Carter

Motion Carried (9 to 0)

Items Requiring Council Direction

None

Matters Tabled

None

Notices of Motion

CNCL-23-38 - Notice of Motion - Snow Clearing Services in Preparation for the 2023-2024 Winter Season (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Neal

Whereas the City is committed to providing snow clearing services that make the City safe; and,

Whereas this important municipal service is to be delivered in an effective and efficient manner with service standards appropriately set, monitored and delivered upon; and,

Whereas the City has operational service staff who are dedicated to continuing to find ways for improvement;

Now therefore in preparation for the 2023-2024 winter season Council directs staff to:

1. formulate a plan to initiate regular resident feedback surveys that will gather customer feedback and satisfaction data over the period of winter maintenance operations; and,
2. review what adjustments to the City's snow clearing response plans can be made during heavy snow events when the expected snowfall exceeds 6 inches (15 cm) or more in 12 hours or 8 inches (20 cm) or more in 24 hours; and,

3. investigate the City of Oshawa buying or renting for the 2023-2024 winter season;
 - a. a snow plow with articulating blade to help with windrow clearing;
 - b. a snow melter to assist with major accumulation of snowbanks;

and report back to Committee on their findings before the 2024 budget deliberations.

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

The vote on Part 1 of Notice of Motion CNCL-23-38.

Affirmative (9): Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Marks, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Giberson

Absent (1): Mayor Carter

Motion Carried (9 to 1)

The vote on Part 2 of Notice of Motion CNCL-23-38.

Affirmative (7): Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (3): Councillor Chapman, Councillor Giberson, and Councillor Marks

Absent (1): Mayor Carter

Motion Carried (7 to 3)

The vote on Part 3 of Notice of Motion CNCL-23-38.

Affirmative (4): Councillor Kerr, Councillor Lee, Councillor McConkey, and Councillor Neal

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

Absent (1): Mayor Carter

Motion Lost (4 to 6)

CNCL-23-39 - Notice of Motion - Policy for the Disclosure of Ontario Land Tribunal Correspondence (All Wards)

Whereas correspondence from the Ontario Land Tribunal (OLT) concerning recent planning decisions pertaining to properties located in the City, are not posted on the City's webpage, but are only emailed to members of Council and staff; and,

Whereas they are matters that have been initially discussed at Committee of Adjustment and Council, with OLT follow-up only going to members of Council and staff the public is not informed of the outcome of the appeals; and,

Whereas by having access to the OLT correspondence members of the public can keep informed;

Now therefore the City of Oshawa adopt a policy for the disclosure of OLT correspondence of emails/letters the City receives from the OLT about appeals in matters that have been before the City of Oshawa Committee of Adjustment and Oshawa Council be forwarded to Council members and staff and be included in an Information Package on the City's website.

City Council did not consider CNCL-23-39 being a Notice of Motion concerning a policy for the disclosure of Ontario Land Tribunal correspondence.

Confirming By-Law

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That the confirming by-law be passed.

Motion Carried

Adjournment

Moved by Councillor Nicholson

Seconded by Councillor Neal

That the meeting adjourn at 12:52 p.m.

Motion Carried

Deputy Mayor

Deputy City Clerk

Council in Committee of the Whole – May 1, 2023

Request – Long Term Parking License Agreement at Centre Street Parking Garage (G1):
Plazacomm Investments Ltd.

It is recommended to City Council:

Whereas, outlined in correspondence CO-23-26, appended as Attachment 1, Plazacomm Investments Ltd. is looking to redevelop the 8-storey, 100,000+ sq. ft. office building located at 40 King Street West in Oshawa; and,

Whereas this building will be redeveloped to include office space; and,

Whereas the Plazacomm Investments Ltd. has requested 200 long term parking spaces in the adjacent City owned parking structure located at 40 Bond Street West (Centre Street Parking Garage); and,

Whereas City staff have advised Plazacomm Investments Ltd. that the maximum number of parking spaces that could be offered is 150, which was acceptable; and,

Whereas staff, in consultation with Plazacomm Investments Ltd. propose that the City enter into an agreement in relation to parking at the Centre Street Parking Garage with Plazacomm Investments Ltd., subject to certain terms and conditions, including:

1. A term of 20 years commencing on January 1, 2024; and,
2. Plazacomm Investments Ltd. shall pay the City current market rate each year for each parking space; and,
3. The City shall be entitled to relocate all or some of the parking spaces being licensed to Plazacomm Investments Ltd. to other controlled parking facilities owned or operated by the City. These spaces shall be located as close as possible to the Centre Street Parking Garage and in no event will be further than 1 km from the Centre Street Parking Garage; and,
4. The City does not guarantee the availability of any parking space on a day to day basis;

Therefore be it resolved that the Mayor and Clerk be authorized to execute an agreement with Plazacomm Investments Ltd on the basis of the foregoing and in the form satisfactory to the Commissioner, Community and Operations Services and the City solicitor.

PLAZACOMM INVESTMENTS LTD.

10 Wanless Ave., Suite 201, Toronto, ON M4N 1V6
416-481-2222

April 21, 2023

City of Oshawa
50 Centre St S
Oshawa, ON L1H 3Z7

RE: Securing Parking at 47 Bond Street West, Oshawa

To the City of Oshawa,

We are potentially purchasing the 8-storey, 100,000+ sq.ft office building located at 40 King Street West in Oshawa.

We are requesting from the City the ability to secure up to 200 long-term parking spaces in the adjacent parking structure, located at 47 Bond Street West.

The spaces can either be long-term rentals (20 years, ideally with an ability to renew), or we can also entertain purchasing the individual spaces from the City.

Due to our short due diligence period (30 business days), we are requesting the City expedite this request, so that we can determine the office's long-term feasibility.

Thank you.



Aaron Gold
VP Operations
416-481-2222 x 253

To: Council in Committee of the Whole

From: Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services Department

Report Number: CNCL-23-47

Date of Report: April 26, 2023

Date of Meeting: May 1, 2023

Subject: Heritage Oshawa's Motion Related to Designation of
827 Gordon Street under Part IV of the Ontario Heritage Act

Ward: Ward 5

File: 12-04-0458-2021

1.0 Purpose

The purpose of this Report is to provide Council with options concerning the designation of 827 Gordon Street (the “Subject Property”), formerly Cedardale Public School, as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (the “Ontario Heritage Act”).

The Subject Property is owned by 2835731 Ontario Inc. (the “Owner”).

A Heritage Research Report was commissioned by the City on behalf of Heritage Oshawa for the Subject Property and on November 25, 2021, Development Services staff provided Heritage Oshawa with the finalized Heritage Research Report. Heritage Oshawa received the Heritage Research Report for information.

On February 24, 2022, Heritage Oshawa recommended to the Development Services Committee that the Subject Property not be designated under Part IV of the Ontario Heritage Act at that time.

On March 28, 2022, City Council considered Item DS-22-54 concerning Heritage Oshawa’s recommendation to not designate the Subject Property and referred the matter back to the Development Services Committee.

On April 11, 2022, the Development Services Committee considered Item DS-22-54 and referred the recommendation from Heritage Oshawa and several pieces of correspondence to staff for a report including consultation with the Owner.

As a result of recent conversations between Weston Consulting on behalf of the Owner and City staff, it was determined that this matter is time sensitive in nature and requires a

direction from Council as soon as possible. Accordingly, this matter has been advanced directly to Council in the Committee of the Whole.

Attachment 1 is a map showing the location of the Subject Property and the existing zoning in the area.

Attachment 2 to this Report is a copy of Correspondence DS-21-102, from AnnMarie Snider dated April 28, 2021.

Attachment 3 to this Report is a copy of Correspondence DS-21-103, from David Talbot dated May 1, 2021.

Attachment 4 to this Report is a copy of Correspondence DS-22-88, from several residents dated between April 8 and April 10, 2022.

Attachment 5 is a copy of the Heritage Research Report prepared for 827 Gordon Street dated August 2021. Owing to its length, this Report is not attached but is available at the following link: https://www.oshawa.ca/city-hall/resources/Heritage/Heritage-Research-Rpt_827-Gordon-Street.pdf.

Attachment 6 is a draft flow chart released by the Provincial government illustrating the process to designate a property under Section 29 (Part IV) of the Ontario Heritage Act.

Attachment 7 is a copy of correspondence dated April 27, 2022 from Weston Consulting, on behalf of the Owner, advising of their position on the potential designation of the Subject Property.

Attachment 8 is a copy of email correspondence dated April 24, 2023 from Weston Consulting, on behalf of the Owner, advising that their position on the potential designation of the Subject Property has remained unchanged and that they anticipate submitting a development application in the next few weeks.

2.0 Recommendation

It is recommended:

1. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be authorized to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a listed, non-designated property.
2. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be directed to advance Option 1 as set out in Section 5.10.1 of said Report to advance the designation of 827 Gordon Street under Part IV of the Ontario Heritage Act.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Commissioner, Corporate and Finance Services
- City Solicitor
- Heritage Oshawa
- 2835731 Ontario Inc., owner of 827 Gordon Street

4.1 Consultation with Property Owner

On April 11, 2022, the then Development Services Committee referred a recommendation from Heritage Oshawa and several pieces of correspondence to staff for a report on the potential designation of 827 Gordon Street, including direction to consult with the Owner (Item DS-22-54).

Staff subsequently contacted the Owner to obtain their position on the potential designation of the Subject Property under Part IV of the Ontario Heritage Act. Staff also provided information concerning the City's Heritage Property Tax Reduction Program.

On April 27, 2022, Weston Consulting ("Weston"), on behalf of the Owner, provided correspondence providing their client's position regarding the potential designation of the Subject Property (see Attachment 7). Weston advised that it is the position of the Owner that designation of the Subject Property was premature at that time, and requested that the discussion be deferred to a later stage in the planning process.

Notably, Weston advised that:

- Their client has retained a heritage architect to prepare a Heritage Impact Assessment ("H.I.A.") and make a recommendation regarding conservation of the cultural heritage value of the school on the Subject Property;
- It is their client's intention "to retain the existing Cedardale Public School and incorporate it into the final development;"
- "The noted heritage architect has also been directed to prepare a schematic design for the adaptive reuse of the school concurrently with the Heritage Impact Assessment;"
- It would be appropriate to await the results of the H.I.A., which would "determine the heritage value of the listed building and its heritage attributes and include the preparation of a Statement of Significance, and to discuss the school's potential designation at the conclusion of the planning applications process."

On April 24, 2023, City staff received an update via email from Weston, on behalf of the Owner, advising that their position on the potential designation of the Subject Property remains unchanged (see Attachment 8).

Weston also advised that they have obtained an H.I.A. and will be including it as part of their upcoming development application submission to the City within the next few weeks

(see Attachment 8). This latest correspondence from Weston is important to note given the recent changes to the Ontario Heritage Act as a result of the “More Homes Built Faster Act, 2022” under Bill 23, which are further discussed in Section 5.7.1 of this Report. As a result, City staff are seeking timely direction from City Council with respect to the potential heritage designation of the Subject Property.

5.0 Analysis

5.1 Site Characteristics

827 Gordon Street is located on the north side of Wolfe Street, east of Gordon Street, and contains a two-storey former school building as well as several surrounding parking and landscaped areas. Access to the Subject Property is from both Gordon Street and Wolfe Street.

The following are the key site characteristics of the Subject Property:

- **Oshawa Official Plan Designation:** The Subject Property is designated “Residential”.
- **Zoning By-law 60-94:** The Subject Property is zoned R1-C (Residential) and CIN (Community Use/Institutional).
- **Use:** The property at 827 Gordon Street is currently used as a music club and features the following:
 - The two-storey former Cedardale Public School building with a one-storey addition to the northeast;
 - Paved parking areas primarily to the south of the school building; and,
 - The former schoolyard primarily to the north of the school building.

5.2 Heritage Oshawa Inventory of City of Oshawa Heritage Properties

The Heritage Oshawa Inventory of City of Oshawa Heritage Properties (the “Inventory”) identifies properties of cultural heritage value or interest within the City of Oshawa. The Inventory includes all properties on the City of Oshawa Register of Properties of Cultural Heritage Value or Interest (the “Register”) as well as properties identified as ‘Class A’ or ‘Class B’.

‘Class A’ properties are properties that have been evaluated by Heritage Oshawa and are determined to have the highest potential for designation.

‘Class B’ properties are properties that have been evaluated by Heritage Oshawa and are determined to have good potential for designation.

827 Gordon Street is identified in the Inventory as a Class A property.

5.3 The City of Oshawa Register of Properties of Cultural Heritage Value or Interest

The Register is the list of properties from the Inventory that have been formally recognized by Council, pursuant to Section 27 of the Ontario Heritage Act, as being properties within the City of Oshawa having cultural heritage value or interest.

The Register includes “designated” and “listed, non-designated” properties.

A property is automatically added to the Register as a designated property once it is designated in accordance with the process established in the Ontario Heritage Act.

A property is added to the Register as a “listed, non-designated property” by resolution of Council.

Any alteration to the identified heritage attributes, or demolition of a structure containing heritage attributes of a designated property, must be considered by Council in consultation with Heritage Oshawa. Only the owner of the property can appeal Council’s decision on a request to alter or demolish heritage attributes of a designated property.

The Subject Property is currently not listed in the City’s Register.

5.4 Background

5.4.1 Request for Designation

Staff received email correspondence from AnnMarie Snider (see Attachment 2) on April 28, 2021 requesting Heritage Oshawa to consider stopping the demolition of the Subject Property, among other related matters. Staff note that no demolition permits or development applications have been received for the Subject Property as of the date of this Report.

Staff received email correspondence from David Talbot (see Attachment 3) on May 1, 2021 advising they wished for the City to consider the designation of the Subject Property under the Ontario Heritage Act.

The above correspondence items were considered by the Development Services Committee on May 10, 2021 as Items DS-21-102 and DS-21-103. The Development Services Committee referred the correspondence to Heritage Oshawa.

Items DS-21-102 and DS-21-103 were provided to Heritage Oshawa at their May 27, 2021 meeting (appearing on the agenda as Items HTG-21-28 and HTG-21-29, respectively).

In response, Heritage Oshawa passed the following motion:

“That based on Correspondence HTG-21-28 from AnneMarie Snider (sic) and HTG-21-29 from David Talbot, Heritage Oshawa commission a heritage research report for Cedardale Public School, located at 827 Gordon Street, and that the commissioning of said report be prioritized above any other heritage research report requests by the Committee for 2021.”

5.4.2 August 2021 Heritage Research Report

Pursuant to the abovementioned motion of Heritage Oshawa on May 27, 2021, Melissa Cole, a local heritage consultant, was selected to prepare a Heritage Research Report for the Subject Property.

The final Heritage Research Report, submitted by Melissa Cole and dated August 2021, supporting the designation can be found at the following link: https://www.oshawa.ca/city-hall/resources/Heritage/Heritage-Research-Rpt_827-Gordon-Street.pdf.

After analyzing the heritage attributes and historical background of the Subject Property, the Heritage Research Report concluded that the Subject Property merits designation under Part IV of the Ontario Heritage Act in light of the criteria outlined in Ontario Regulation 9/06. This regulation assists in determining if a property possesses cultural heritage interest or value, under the three categories of:

1. Design or physical value;
2. Historical/associative value; and,
3. Contextual value.

According to Ontario Regulation 9/06, a property that meets one or more of the three criteria has merit for designation. The Heritage Research Report identifies that the Subject Property meets all three criteria, as follows:

- “1(i) 827 Gordon Street has design and physical value because the building is representative of a 1920s school representative of Classic Revival architectural style.
- 2(ii) 827 Gordon Street has direct association with Gordon Daniel Conant, an early settler in the area, who provided the land where Cedar Dale School stands. The surrounding streets are named after members of the Conant family including Verna, Conant, Gordon.
- 3(i) 827 Gordon Street is historically linked to the City of Oshawa as it is representative of the community of Cedar Dale that now lies within the City of Oshawa. That is where the name of the school originates.
- 3(iii) 827 Gordon Street is a landmark and served as an educational institution for over 75 years serving the population in the southern end of the City of Oshawa.”

5.4.3 Heritage Oshawa Motion to the Development Services Committee

At the November 25, 2021 meeting of Heritage Oshawa, Development Services staff provided Heritage Oshawa with the finalized Heritage Research Report for the Subject

Property (Item: HTG-21-73). Heritage Oshawa considered the Heritage Research Report and passed the following motion:

“That Report HTG-21-73 concerning the Final Heritage Research Report for 827 Gordon Street be received for information.”

At the February 24, 2022 meeting of Heritage Oshawa, the Committee passed the following motion:

“That Heritage Oshawa recommend to the Development Services Committee:

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

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

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

Therefore, be it resolved:

1. That 827 Gordon Street not be designated (under Part IV of the Ontario Heritage Act) at this time; and,
2. That AnnMarie Snider and David Talbot be thanked for their correspondence and interest in heritage research and heritage designation.”

On March 28, 2022, City Council considered Item DS-22-54 concerning Heritage Oshawa’s recommendation to not designate the Subject Property and referred the matter back to the Development Services Committee.

On April 11, 2022, the Development Services Committee considered the recommendation from Heritage Oshawa as Item DS-22-54. The Development Services Committee also considered several other pieces of correspondence concerning Item DS-22-54 submitted by residents (see Attachment 4).

The collective items of correspondence under DS-22-88 were referred by the then Development Services Committee to DS-22-54. In response to Item DS-22-54, the Development Services Committee passed the following motion:

“That DS-22-54 be referred to staff for a report to include consultation with the property owner.”

5.5 Supplemental Heritage Research Report

The Heritage Research Report completed by Melissa Cole dated August 2021 does not provide the requisite information in order to fulsomely inform the designation by-law and Designation Statement and Description for the Subject Property. Therefore, in the event Council selects the Recommended Option under Section 5.10.1 of this Report to designate the Subject Property, staff recommend that a supplemental Heritage Research Report for the Subject Property be obtained.

This required information includes:

- Evidence that the Subject Property meets two or more of the criteria for designation under the Ontario Heritage Act in relation to the following three categories:
 - Design or physical value;
 - Historical/associative value;
 - Contextual value;
- A Statement of Cultural Heritage Interest or Value; and,
- A listing of heritage attributes at a level of detail which identifies individual features of the Subject Property.

Staff estimate that a supplemental Heritage Research Report would cost up to \$15,000.

5.6 The Provincial Policy Statement

The Provincial Policy Statement (“P.P.S.”) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Planning Act.

Section 2.6 of the P.P.S. addresses Cultural Heritage and Archaeology and in particular states that (among other things):

“Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conversed.”

This Section of the P.P.S. does not currently apply to the properties adjacent to the Subject Property since it is not currently a designated property. It would apply if it was designated.

5.7 Heritage Designation Process

On July 1, 2021, the Provincial government implemented changes to the Ontario Heritage Act proposed under Bill 108, the “More Homes, More Choice Act, 2019, S.O. 2019, c. 9”. As a result, some procedures have changed with respect to the designation process, including the appeal process for heritage designation.

The Ontario Heritage Act provides the framework for identification, conservation and protection of cultural heritage resources, and empowers a municipality to designate, by by-law, a property to be of cultural heritage value or interest in order to protect the property's cultural heritage value.

The designation of the Subject Property would be governed by Part IV, Section 29 of the Ontario Heritage Act for individual property designation.

Attachment 6 illustrates the process to designate a property under Section 29 (Part IV) of the Ontario Heritage Act.

Where a municipal Council chooses to initiate the process to designate and issues a Notice of Intention to Designate for a property, the property will be subject to certain interim protections. Any existing permit that allowed for the alteration or demolition of the property, including a building permit or a demolition permit, becomes void. Proposed activities that would require Council's consent during the period of interim protection include any:

- Alteration affecting the property's heritage attributes;
- Demolition or removal of heritage attributes; or,
- Demolition or removal of a building or structure.

The property owner's consent is not required for a designation to proceed under the Ontario Heritage Act. The property owner's objections, if any, can be considered by following the objection procedure illustrated in Attachment 6.

5.7.1 Bill 23 Implications

In October 2022, the Provincial government introduced the "More Homes Built Faster Act, 2022" under Bill 23, which included amendments to the Ontario Heritage Act. These Bill 23 amendments came into effect on January 1, 2023.

The amendments relevant to the Subject Property and the contents of this Report are as follows:

1. An amendment limiting the duration for which a property may remain a "listed, non-designated property" on the City's Register to two (2) years. Additionally, in the event a property is removed from the Register, the property may not be reintroduced into the Register as a "listed, non-designated property" for a further five (5) years.
2. An amendment limiting the ability to issue a Notice of Intention to Designate a property in response to a prescribed event to only those properties already included on a Municipal Register as of the date of the prescribed event. It is staff's understanding from the Province that a "prescribed event" refers to an application for Plan of Subdivision, Official Plan Amendment, or Zoning By-law Amendment that has been deemed complete by the City. If triggered by a prescribed event, the City must issue a Notice of Intention to Designate within 90 days of said event, otherwise it is removed from the Register and cannot be reintroduced into the Register as a "listed, non-designated property" for five (5) years.

3. An amendment establishing that a property must meet two or more criteria under O. Reg. 9/06 in order to be designated under Part IV of the Ontario Heritage Act.

The effect of these amendments on the Subject Property is as follows:

- In the event Council chooses the Recommended Option under Section 5.10.1 of this Report to Designate the Subject Property or Option 3 under Section 5.10.3 of this Report to add the Subject Property to the City's Register as a "listed, non-designated property", the City must ultimately designate (under either option) or remove the property from the Register within two (2) years of doing so. If in two (2) years Council does not designate the Subject Property, the City may not reintroduce the Subject Property into the Register as a "listed, non-designated property" for a further five (5) years. If a prescribed event occurs during the aforementioned two (2) year timeframe, the City will have 90 days from the date of the prescribed event to issue Notice of Intention to Designate, otherwise the Subject Property is removed from the Register and the City is unable to reintroduce the Subject Property into the Register as a "listed, non-designated property" for five (5) years; and,
- In the event Council chooses Option 2 under Section 5.10.2 of this Report to maintain the status quo, and the Subject Property continues to remain as a Class "A" property on the Heritage Oshawa Inventory, the City would be unable to issue a Notice of Intention to Designate the Subject Property in the event of a "prescribed event" (i.e., receipt of a development application). Until such time as the prescribed event concludes, the Subject Property could be at risk of alteration or demolition without any protection under the Ontario Heritage Act.

5.8 Property Standards By-law 1-2002 and Heritage Properties

On October 26, 2020, City Council considered Report CORP-20-29 and adopted the following recommendation:

"The Council approve a by-law to amend Property Standards By-law 1-2002, as amended, in a final form and content acceptable to Legal Services and the Commissioner of Corporate Services to establish standards specific to heritage properties."

The City's Property Standards By-law 1-2002, as amended, ("Property Standards By-law") prescribes minimum standards for the maintenance and occupancy of buildings, structures, and surrounding lands. It is intended to:

- Address the City's strategic goal of "Social Equity: Ensure an inclusive, healthy and safe community";
- Provide a mechanism to maintain properties and buildings to a minimum standard;
- Provide tools to maintain and enhance the character/image of the City;
- Sustain property values;

- Preserve the tax base; and,
- Protect the safety and the quality of life of residents and businesses.

The Ontario Heritage Act is prescriptive in what a Property Standards By-law can address from a heritage perspective. In that regard, as it relates to heritage, a municipal property standards by-law may only establish minimum standards for maintenance of heritage attributes of properties that are designated by municipal by-law (Section 29) or designated by the Minister (Section 34.5).

Section 35.3 of the Ontario Heritage Act states:

“If a by-law passed under Section 15.1 [Property Standards By-law] of the Building Code Act setting out standards for the maintenance of property in the municipality is in effect in a municipality, the council of the municipality may, by by-law,

- (a) Prescribe minimum standards for the maintenance of the heritage attributes of property in the municipality that has been designated by the municipality under Section 29 or by the Minister under Section 34.5; and,
- (b) Require property that has been designated under Section 29 or 34.5 and that does not comply with the standards to be repaired and maintained to conform with the standards.”

The *Building Code Act*, 1992, S.O. 1992, c.23 (the “Building Code Act”) is the enabling legislation that permits municipalities to establish property standards by-laws. The Building Code Act, not only grants the authority to pass a property standards by-law, but also legislates administrative requirements related to the inspection process, order contents and issuance processes, order appeal processes, emergency orders, etc.

Repair is defined in the Building Code Act as:

“...the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards established in a by-law passed under this section.”

Through the Building Code Act, municipalities may prescribe standards for the maintenance and occupancy of property and for prohibiting the occupancy or use of property that does not conform to the standards. Furthermore, municipalities can require that non-conforming property be repaired and maintained to conform to the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.

By-law 90-2020, passed by Council on October 26, 2020, further amended the Property Standards By-law 1-2002 to provide for the protection of properties with cultural heritage value or interest. The Property Standards By-law 1-2002 can be found at the following link: <https://www.oshawa.ca/en/Document-Feeds/General-By-Laws/PropertyStandardsBy-law1-2002.pdf>.

Under the amended By-law, standards are now provided for the maintenance of designated heritage properties to ensure that no heritage attribute is altered, demolished, removed or relocated.

5.9 Heritage Property Tax Reduction Program

On March 21, 2011, Council adopted a Heritage Property Tax Reduction program which provides annual tax reductions for eligible heritage properties as an incentive to encourage property owners to restore and maintain heritage properties within the City.

The amount of the Heritage Property Tax Reduction is 40% of the City and education portions of the property taxes. At this time, the Region of Durham does not participate in the program and therefore there is currently no reduction of the Region's portion of the taxes.

In order to qualify for the Heritage Property Tax Reduction Program, a property must meet the following criteria:

- (a) Be located in the City;
- (b) Be designated under Part IV or Part V of the Ontario Heritage Act;
- (c) Be subject to a Heritage Easement Agreement with the City; and,
- (d) Comply with additional eligibility criteria as set out in By-law 106-2011.

Additional eligibility criteria set out in By-law 106-2011 include, but are not limited to:

- (a) The property is not subject to any by-law contravention, work order or outstanding municipal requirements or liens; and,
- (b) The property is in good and habitable condition and meets all of the City's requirements related to the heritage property.

In 2022, the total City and education portions of the property taxes for the Subject Property will be \$9,004 and \$4,230, respectively. If the entirety of the Subject Property were granted the 40% reduction to the City and education portions of the property taxes, it would result in a reduction of approximately \$3,601 and \$1,692, respectively in the amount of property taxes paid annually to the City and School Boards by the Owner.

However, this value may be lower in consideration of the amount of potentially ineligible property surrounding the former school. In the event that the Owner applies for the Heritage Property Tax Reduction Program, staff will work with the Owner and the Municipal Property Assessment Corporation in order to determine the eligible rebate value. The 40% reduction will only apply to the building (or portion thereof) that is considered by staff to be eligible under the Heritage Property Tax Reduction Program. There is also potential for this value to increase in the event the tax assessment for the Subject Property is increased as a result of improvements to the property.

5.10 Options

The options that follow in this section provide certain options for a go-forward strategy for consideration by Council.

5.10.1 Recommended Option 1: Designation

Option 1, which is staff's Recommended Option, is to designate 827 Gordon Street as a property having cultural value or interest pursuant to Section 27 under Part IV of the Ontario Heritage Act, in which case it would be added as a designated property to the City's Register. A supplemental Heritage Research Report would need to be obtained prior to designation.

The following represents a go-forward strategy in order for staff to advance Option 1.

- As an initial first step, Economic and Development Services staff would immediately take appropriate action to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a "listed, non-designated property". This would ensure that in the event a "prescribed event" (development application) occurs during the completion of the supplemental Heritage Research Report or during the subsequent designation process (as outlined below), Council remains able to issue a Notice of Intention to Designate within the prescribed 90 day timeframe.
- Economic and Development Services staff would then obtain a supplemental Heritage Research Report to provide evidence that the Subject Property specifically addresses the requirements of the Ontario Heritage Act to be designated under Part IV of the same. As noted in Section 6.0 of this Report, funding to retain a consultant to prepare the supplemental Heritage Research Report for 827 Gordon Street can be paid for using the Planning Services Professional and Technical Services account.
- Upon completion of the supplemental Heritage Research Report, Economic and Development Services staff would advance the process established in the Ontario Heritage Act to designate 827 Gordon Street as a property of cultural heritage value or interest under the Ontario Heritage Act. This would involve undertaking actions such as the following:
 - (a) Preparing a Notice of Intention to Designate the property located at 827 Gordon Street under the Ontario Heritage Act which will generally include the Designation Statement and Description with input from the owner;
 - (b) Publishing the Notice in the Oshawa This Week newspaper;
 - (c) Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
 - (d) Preparing the necessary by-law which will generally include the Designation Statement and Description with input from the owner for subsequent consideration by Council.

In the event Council chooses this Option to designate 827 Gordon Street, the City must designate the property within two (2) years of its placement on the Register as a “listed, non-designated property”. If in two (2) years Council does not designate the Subject Property, the City may not reintroduce the Subject Property into the Register as a “listed, non-designated property” for a further five (5) years. If triggered by a prescribed event during the two (2) year timeframe, the City must issue Notice of Intention to Designate within 90 days of said event, otherwise the Subject Property is removed from the Register and cannot be reintroduced into the Register as a “listed, non-designated property” for five (5) years.

Section 2 of this Report contains the appropriate language to authorize staff to advance Option 1.

5.10.2 Option 2: Status Quo

Should Council wish to maintain the status quo and have 827 Gordon Street remain as ‘Class A’ property on the Heritage Oshawa Inventory, then the following recommendation should be adopted:

“That, pursuant to Report CNCL-23-47 dated April 26, 2023, 827 Gordon Street not be designated under the Ontario Heritage Act but rather remain as a ‘Class A’ property on the Heritage Oshawa Inventory of City of Oshawa Heritage Properties.”

Staff note that in the event Council chooses this Option to keep 827 Gordon Street as a Class ‘A’ property on the Heritage Oshawa Inventory, the City would be unable to designate the property in the event of a “prescribed event” (i.e. receipt of complete development application). Staff note that Weston, acting on behalf of the Owner, has advised through email correspondence dated April 24, 2023 (see Attachment 8) that the Owner intends to submit a development application in the new few weeks.

5.10.3 Option 3: Add to Register as a Listed, Non-designated Property

Should Council wish to formally recognize 827 Gordon Street as having cultural value or interest pursuant to Section 27 under Part IV of the Ontario Heritage Act, in which case it would become a “listed, non-designated property” on the City’s Register, then the following recommendation should be adopted:

- “1. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be authorized to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a listed, non-designated property.
2. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be directed to report back to the Economic and Development Services Committee concerning full designation of 827 Gordon Street within the legislated timeline in the event a prescribed event occurs.”

In the event Council chooses this Option to add 827 Gordon Street to the Register as a “listed, non-designated property”, the City must either designate or remove the property

from the Register within two (2) years. If in two (2) years Council does not designate the Subject Property, the City may not reintroduce the Subject Property into the Register as a “listed, non-designated property” for a further five (5) years. If a prescribed event occurs, the City must issue a Notice of Intention to Designate within 90 days of the said event, otherwise the Subject Property is removed from the Register and cannot be reintroduced into the Register as a “listed, non-designated property” for five (5) years.

Staff note that the above recommendation ensures that City staff possess sufficient time within a two (2) year period to advance potential designation of the Subject Property, including procuring a supplemental Heritage Research Report, in the event that a prescribed event occurs or in the event Council makes a subsequent decision to designate the Subject Property.

6.0 Financial Implications

In the event Council selects the Recommended Option under Section 5.10.1 of this Report to designate the Subject Property, the additional associated costs are related to the completion of a supplemental Heritage Research Report for the Subject Property. Staff estimate a supplemental Heritage Research Report to cost up to \$15,000. Staff note that the cost for heritage-related research is currently higher than average given the recent changes to the Ontario Heritage Act and resultant significant need for heritage research across Ontario.

Staff advise that, as a result of previously provided Council direction, the full allocation within the Professional and Technical account within Heritage Oshawa’s 2023 Budget has already been dedicated to the procurement of heritage research reports, including for Memorial Park, Robert McLaughlin Gallery, Harmony Public School, 117 King Street East, and Union Cemetery.

Accordingly, staff recommend that in the event it is required, the supplemental Heritage Research Report for 827 Gordon Street be paid for using the Planning Services Professional and Technical Services account.

Other costs under the Recommended Option are generally related to notice requirements, which can be accommodated within the appropriate Departmental budget.

In the event of any objection to the Notice of By-law Passing and referral to the Ontario Land Tribunal, the appropriate City staff, with the potential assistance of a heritage consultant, would need to participate in the hearing. These costs can be accommodated within the Departmental budget.

If the Subject Property is designated under the Ontario Heritage Act and the eligibility criteria for the City's Heritage Property Tax Reduction Program are satisfied, the Owner would be eligible for a reduction of 40% of the taxes paid annually to the City and school boards.

Finance Services has advised that 40% of the City and education portions of the taxes for 827 Gordon Street in 2023 amounts to approximately \$3,601 and \$1,692, respectively. However, as discussed in Section 5.9 of this Report, this value may be lower in

consideration of the areas of the Subject Property that are not eligible for the rebate, and is subject to change in the event tax assessment for the Subject Property increases as a result of improvements to the property.

In the event that the Owner applies for the Heritage Property Tax Reduction Program, staff will work with the Owner and the Municipal Property Assessment Corporation in order to determine the eligible rebate value. The 40% reduction will only apply to the building (or portion thereof) that is considered by staff to be eligible under the Heritage Property Tax Reduction Program.

There are no costs related to Option 2 under Section 5.10.2 of this Report, which is to maintain the status quo.

There are minimal costs related to Option 3 under Section 5.10.3 of this Report, which is to add the Subject Property to the City's Register as a "listed, non-designated property". These costs generally relate to notice requirements, which can be accommodated within the appropriate Departmental budget.

7.0 Relationship to the Oshawa Strategic Plan

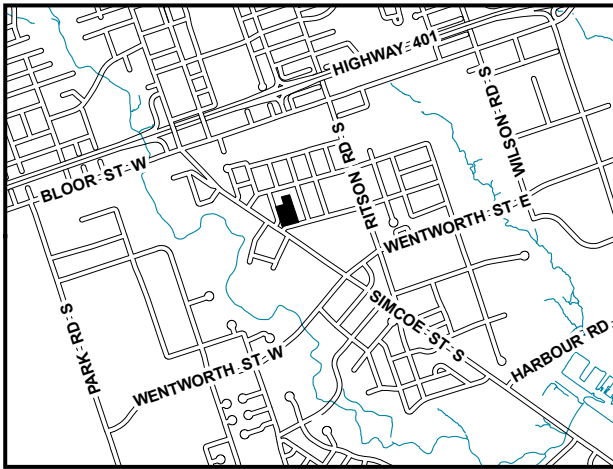
The recommendation in this Report advances the Cultural Vitality goal of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,
Planning Services



Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services Department



**Item: CNCL-23-47
Attachment 1**

Economic and Development Services

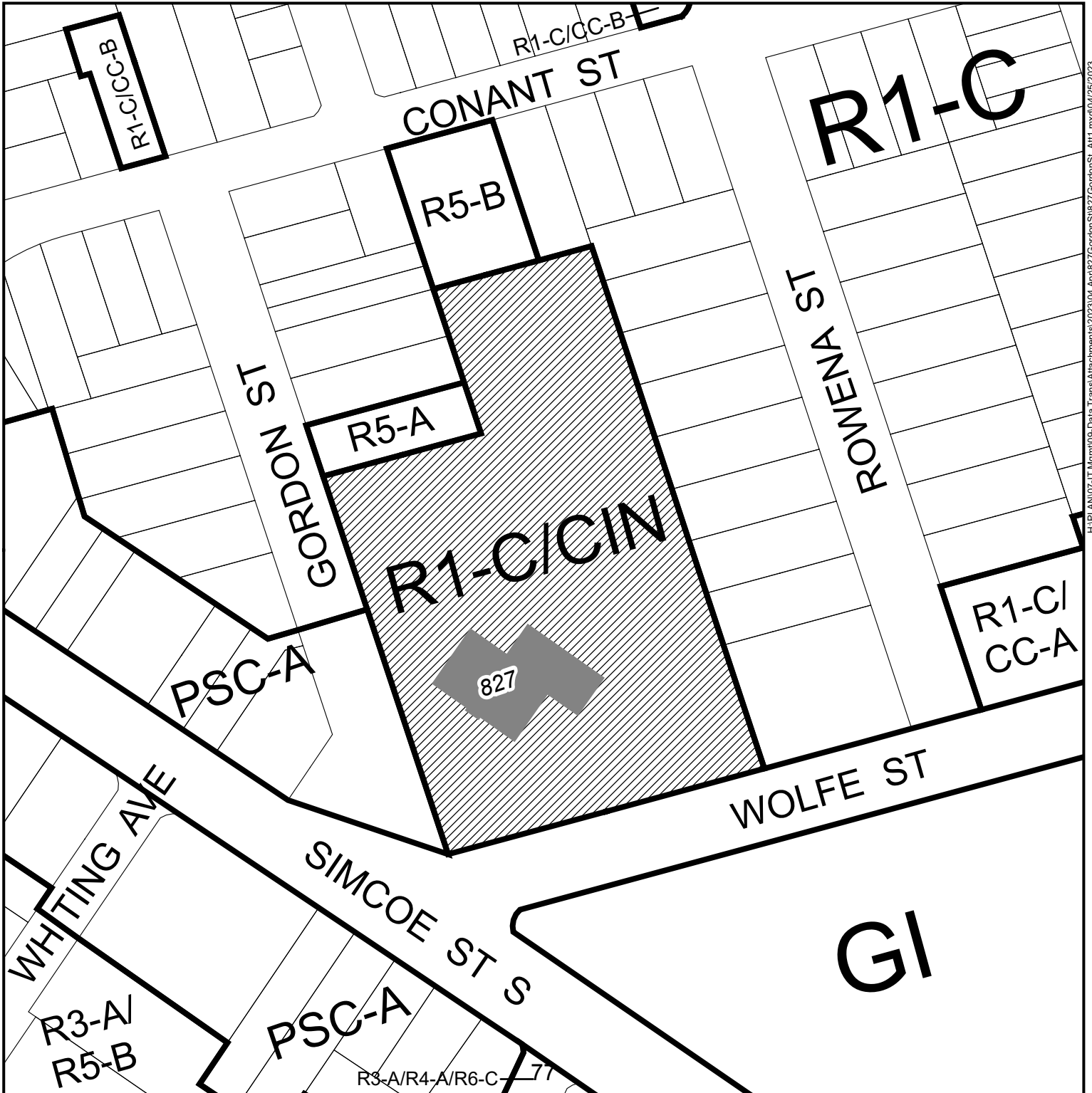
Subject: Heritage Oshawa's Motion Related to Designation
of 827 Gordon Street under Part IV of the Ontario
Heritage Act

Ward: Ward 5

File: 12-04-0458-2021



Subject Site



From: AnnMarie Snider [M.F.I.P.A. Sec 14 (1)]
Sent: Wednesday, April 28, 2021 5:34 PM
To: Heritage@oshawa.ca
Subject: Cedardale P.S/ Rehearsal Factory

04/28/2021

To: Whom it May Concern

Hello, my name is AnnMarie Snider. I am a South Oshawa resident. I am writing this letter in hopes of accumulating some attention to Oshawa council and to Heritage Oshawa, Municipal Heritage Committee regarding the involvement of the sale of former Cedardale Public School by its' current owners The Rehearsal Factory.

Cedardale is listed as a "Class A " heritage site in the Oshawa Inventory of Heritage Properties which I have obtained from "Heritage Oshawa" Facebook group. I am deeply concerned for the loss of this site, should it be purchased by development companies particularly aiming to tear down old school properties to make way for newer structures. This has already happened with Gertrude Colpus (570 Shakespeare Ave.) and Glenholme School (located on 240 Simcoe St. S) in Oshawa. Heritage properties are so important and their futures should be conserved to the best of their abilities. Both school properties listed above were purchased by the same development company. This warrants reason for concern that Cedardale could be next. The City of Oshawa has seen a recent upturn of Historical / Heritage buildings being either being put up for sale by development, or requested to be demolished by current owners. (e.g., The McLaughlin house on 195 Simcoe St. N, or the old camp Samac, also located on 275 Conlin Rd. E) I speak on behalf of the many residents particularly of the Cedardale Community whom have already responded to the posts regarding the sale of Cedardale on social media and on my petition (Social media groups include vintage Oshawa, South Oshawa Community group- which is moderated by Councillor Brian Nicholson) that I have started on [change.org](https://www.change.org). Please view my petition here:

https://www.change.org/p/oshawa-city-council-save-cedardale-public-school?recruiter=38542176&utm_source=share_petition&utm_medium=facebook&utm_campaign=share_petition&utm_source=share_petition&utm_medium=facebook&utm_campaign=share_petition

Cedardale P.S was well loved and still very much so cherished by former students and teachers alike-some of whom I have already spoken to. My daughter (10) actually attended Bobby Orr Public School which was built after the Cedardale/Conant merge many years ago. It is also the home of a few remaining former Cedardale teachers, and parents whom were former students. The ones I have spoken to always speak fondly about their memories in Cedardale P.S. I encourage committee members in charge of making the decisions regarding the future of Oshawa's' historical/heritage sites to visit the Facebook page where they will find many of these former staff and students along with their memories posted from the former school.

<https://www.facebook.com/groups/2262266183>

Please consider the proposal to ensure future purchasers of Cedardale P.S (The Rehearsal Factory) to save and donate some particular relics which are still visible on the wall of the old old school. These items should be relocated to the Oshawa Museum, should the school be demolished:

1. A plaque donated in the memory of Isabella Swanson-Principal and Teacher 1907-1920
2. A local Cedardale Community map which includes a few recognizable Cedardale buildings which can still be recognized today.
3. A plaque in the memory of Mrs. Frank Robson-14-year president of Cedardale home and Council Association.

City Councillor Brian Nicholson, has already reached out to council on this matter, and has in fact been very supportive of the concern involving the future of this structure. Having been made aware of certain structural issues which were already of concern when Cedardale school was initially decommissioned as a school, we are still optimistic that at very least, the shell of this well-known South Oshawa Heritage site has the potential to be saved and perhaps even renovated as residential units which has been done here before in Oshawa. In addition to this, one may consider the Original Cedardale One room schoolhouse still sits (along with a plaque and Heritage designation) as Cedardale United Church- Further validating the historical significance of the school.

I thank you for your time in reading this letter and consideration for all written within it. I would like to request further correspondence regarding the development committee agenda. Please reach out to me at the email address here:

M.F.I.P.P.A. Sec 14 (1)

Or call me @ M.F.I.P.P.A. Sec 14 (1)

Thanks again,

AnnMarie J. Snider

From: David Talbot [M.F.I.P.P.A. Sec 14 (1)]
Sent: Saturday, May 1, 2021 7:00 PM
To: clerks <clerks@oshawa.ca>
Subject: Request

Item: CNCL-23-47
Attachment 3

To whom it may concern,

Hello, my name is David Talbot. I was born at Oshawa General Hospital in 1991 and have lived in Oshawa my entire life. I grew up in the community of Cedardale, one of the oldest neighborhoods. I went to Cedardale Public School from Kindergarten to Grade 5 and then on to Bobby Orr Public School. The school in which Cedardale P.S. and Conant P.S. closed and combined in to. I am writing a request to have the building and property of Cedardale School be looked into being a heritage property. It is currently the Rehearsal Factory and is up for sale. There are still important plaques and things on the wall that the Oshawa Museum should at least take a look at adding to their collection. The community of Cedardale has changed over the years but it doesn't change the fact that it is older than Oshawa declaring itself a city. I am the administrator of the Cedardale Public School Facebook group. I have also signed a petition going around in hopes for the building to be kept and not demolished like so many other unfortunate historical buildings. I am hoping for this matter to be added to the next Development Services Committee Agenda. I have attached a few pictures of plaques that were still on the walls in the School the last time I entered. Hopefully this Oshawa landmark can be saved in some form or fashion. You can email me back to this email

[M.F.I.P.P.A. Sec 14 (1)]
or phone me at

[M.F.I.P.P.A. Sec 14 (1)]

Thank you for your time.



Like

Comment



8:09

51%



Like

Comment



8:09

51%



2

Like

Comment



DS-22-88

From: AnnMarie Snider <M.F.I.P.P.A Sec. 14(1)>

Sent: Sunday, April 10, 2022 11:38 PM

To: clerks <clerks@oshawa.ca>; Connor Leherbauer <CLeherbauer@oshawa.ca>

Subject: ATTEN: Development Services Committee

Please Share with Development Servives Committee at todays meeting.

Link to petition:

<https://chnq.it/SBX4jPYG>

To: Whom it May Concern

Attached to this email is a list of nearly 250 PEOPLE who have signed my petition which I created to get Cedardale public school it's designation, along with the link to the petition to review. I also am sharing with you a poll in-which councillor Brian Nicholson had created, with over 6 HUNDRED people who polled to SAVE CEDARDALE P.S and give it designation.

Why did Heritage Oshawa agree to give the green light for Cedardales' Heritage Research report to be conducted with PRIORITY above all other items, back in the spring of 2021 when it was first brought to light by myself and David Talbot? There must have been some merit to this designation request, so why ultimately simply "received for information" and shelved after the work for this was put in?

I am requesting the Development Services committee think about this question today during their meeting AND ANSWER IT. This is an answer I believe all of the people listed above in the petition, and in Brian Nicholson's poll - whom support this item being designated, deserve to have the answer to.

Thank You

-AnnMarie Snider

DS-22-88

April 10, 2022

To: clerks@oshawa.ca, Members of the Development Services Committee

Fr: J.A. Clark and former Heritage Oshawa Members

Re: DS-22-54

Dear Members of the DSC:

As dedicated former Members of Heritage Oshawa who continue to support the preservation of our community's irreplaceable built heritage, we are writing to express our confusion and concern around the request for designation of Cedardale Public School. We are particularly alarmed at this latest evidence of the continuing erosion of Heritage Oshawa's responsibilities to the citizens of Oshawa.

In our tenure on Heritage Oshawa, if a property was brought to the attention of the Committee as being potentially of heritage significance, especially if it was identified by members of the public, as in the case of Cedardale School, we were delighted. We would immediately commission a heritage research report on the property to ascertain its heritage value and determine whether it meets the criteria per the Ontario Heritage Act.

We are mystified, therefore, at the apparent decision of the Committee at their Nov. 25th meeting to follow the Staff recommendation to "receive for information" instead of implementing the usual process of commenting on the research report (or not) and moving the Committee's recommendation to designate the property. Normally the suggested "receive for information" motion is made only in order to put the item before the Committee for discussion. There was not even much discussion on this item, as I recall, and certainly no explanation.

Those of us listening were shocked and disappointed, especially on behalf of the citizens who had submitted the original request, and the many other neighbours and former staff and students who had signed the Change.org petition in support.

We are therefore in agreement with, and would like to express our gratitude to, Councillor Nicholson for bringing this situation to the attention of Council at the Mar. 28th meeting.

Just as it is important to provide the reasons FOR designation, we feel it is incumbent on Committees and Council to live up to their stated strategic goals of being accountable and transparent in their decision-making, and to explain therefore, why a property that has been confirmed as having significant heritage value by a heritage consultant in a report that was PAID FOR WITH TAXPAYER DOLLARS is for some undefined reason then declared ineligible.

Perhaps this reason could be unearthed and shared at your meeting on Monday. We believe that the citizens of Oshawa who depend upon the informed decisions of their Municipal Heritage Committee in protecting our shared heritage resources deserve no less.

DS-22-88

Thank you,

Alicia Bertrand, Former Heritage Oshawa Chair

Laura Thursby, Former Heritage Oshawa Chair

Jo-Ann Hayden, Former Heritage Oshawa Member

Jacquie Villeneuve, Former Heritage Oshawa Member

Ann Dulhanty, Former Chair, Heritage Oshawa Inventory and Designation Working Group

Marg Wilkinson, Former Chair, Heritage Oshawa Inventory Working Group and Designation Working Group

Jane Clark, Former Chair, Heritage Oshawa Outreach and Education Working Group

DS-22-88

From: Greg J <M.F.I.P.P.A Sec. 14(1)>

Sent: Sunday, April 10, 2022 10:09 PM

To: clerks <clerks@oshawa.ca>

Subject: Designation - Cedardale Public School

Hello Clerks,

I am writing to express my support to designate Cedardale School.

Cedardale has a rich and important heritage worth preserving for future generations. Cedardale, which only joined Oshawa in the 1920's, played an important role in making Oshawa the City it has become. As we approach Oshawa's Centennial, we should be seeking to save or incorporate these historical properties into future development. The preservation of Cedardale School is a way to protect our city's interwoven historical fabric for future generations.

I am asking for this designation request to be placed on the agenda at the next Development Services Meeting Agenda.

"A concerted effort to preserve our heritage is a vital link to our cultural, educational, aesthetic, inspirational, and economic legacies" (Steve Berry)

Kind Regards

Greg Johnston

DS-22-88

April 8, 2022

To: clerks@oshawa.ca, Members of the Development Services Committee, Members of Heritage Oshawa Advisory Committee

Re: DS-22-54

Dear City Committee Members;

I am writing to express my dismay in the action that has been taken regarding Cedardale Public School's future. By choosing not to protect this historic Class A structure, you are actively harming its future and legacy. Not only is this building worthy of designation by way of its contextual, historical, and architectural value, but it also has the support of the community behind said designation. I can see no logical reason to forgo granting a heritage designation to Cedardale Public School, unless there is some developer standing by that the city is catering to.

Whatever the reason is, I urge you to reconsider.

Historic properties are worthy of preservation. Especially properties such as Cedardale, which has played such a vital role in Oshawa's history. It is simply insufficient to commemorate a building in lieu of retaining the structure. This structure must be preserved and designated- it is in all of our best interests, as Oshawa residents and especially those who value heritage.

Sincerely,

Jacquie Villeneuve, former Heritage Oshawa Member.

DS-22-88

From: AnnMarie Snider <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 12:36 AM

To: clerks <clerks@oshawa.ca>

Subject: *URGENT*Attention: Development Services Committee Members

To: Whom it May Concern

I am writing this letter in regards to particular interest and concern over the recent activity involving "Cedardale school" which was an item on the agenda for Heritage Oshawa Committee in recent months.

As some of you may remember, I was one of the citizens, along with David Talbot who wrote to the Development Services committee early last summer, who requested that the Former Cedardale school be considered for Heritage designation. It was at the time, for sale by the owner. My primary concern was that it would be purchased by developers and demolished, a fate that has befallen many former Public Schools in the city of Oshawa.

The former Cedardale Public School is an extremely important and valued part of the Cedardale community's history within Oshawa. In fact, its predecessor- The original one-room schoolhouse (which is located practically across the street, and is now the "Cedardale United Church ") is already a designated heritage site. The importance of preserving the former school has been validated by more than 100 people who signed the petition I assembled on change.org many months back. It was also recognized as such by the research report which was commissioned and paid for by the city of Oshawa with tax payer dollars.

Nowhere in any of the meeting minutes post-November of 2021, has there ever been any discussion regarding the reasoning for no longer pursuing the designation of this property (or discussion AT ALL) regarding this property, including in the minutes of the November Heritage Oshawa meeting where this was apparently decided. It appears to have simply been dropped off the radar of Development Services and this is UNACCEPTABLE.

In conclusion, I am requesting that the item of Cedardale Public School (now Melody Rehearsal) be reconsidered by the Development Services Committee in its upcoming meeting and ultimately by Oshawa City Council. Furthermore, I ask that the item no longer be only "received for information" but instead be brought back onto the agenda for reconsideration of its designation given the blatantly obvious desire for preservation by many Cedardale residents.

Thank You,

AnnMarie J. Snider

DS-22-88

From: Sharyl-Anne Visniar <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 9:19 AM

To: clerks <clerks@oshawa.ca>

Subject: Regarding the designation of Cedardale school as a historical site

Hello,

My name is Sharyl Visniar, I am a previous student (grades K to 8) of Cedardale school in the 1990s and still live very close by the old school, I think it's an absolute shame that the building was sold and is now pending the review of the historical site report on its potential destruction. I was a student when they had the 75th anniversary (1994 I believe) and thought it was amazing to see so many people in my neighbourhood then who were students or staff come through the school, share stories from their time at Cedardale, etc.

Cedardale school and Cedardale church go hand in hand and I know the Church has historical designation, why can't the school have the same?

Ideally I would love to see Cedardale turned into affordable Senior housing like they did with South Simcoe PS on Simcoe St and Front St.

The south end of Oshawa needs a facelift however I do not think tearing down an over 100 yr old building and the history that goes along with it is the way to go. My daughter goes to Bobby Orr where there are people who taught at Cedardale are still teaching now which warms my heart.

Please save my neighbourhood and its historical significance from destruction and greed. Please do the right thing and save Cedardale!

Thanks

Sharyl Visniar

DS-22-88

From: NANCY EDWARDS <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 9:41 AM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale public school

My name is nancy edwards, i am a life long oshawa resident and my whole family 7 kids went to cedardale public school. I would hate to see this historical school torn down. I am in support of saving the school

Thanks

Nancy edwards

<M.F.I.P.P.A Sec. 14(1)>

DS-22-88

From: Gary Swinson <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 10:55 AM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale School

Hi I am writing this in regards to save the school.

All the ground work has been done to preserve this property and too many of the old properties have vanished.

My name is Gary Swinson and I'd like to have this shared with Development Services Committee.

There are so many memories that come back whenever I pass by the old School.

Please help to preserve this site.

Thank You

DS-22-88

From: Chris LaRocque <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 12:11 PM

To: clerks <clerks@oshawa.ca>

Subject: Cedar Dale public school

Hello,

Myself, and many other people support designating the former Cedardale Public School as a heritage site. With its proximity to the old Cedardale church, it is a great little representation of the hamlet.

It is good seeing things like the post office facade being saved and also the old bell switching building at Mary/Bond. Perhaps something like this could be considered.

Please save this great old site.

I would greatly appreciate it if this email could be shared at the Developmental Services committee meeting on Monday.

Thank you for your time

Sincerely,

Chris LaRocque

<M.F.I.P.P.A Sec. 14(1)>

Oshawa, Ontario

<M.F.I.P.P.A Sec. 14(1)>

DS-22-88

From: E. Cannons-Hurley <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 3:21 PM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale Historical Site

Hello, I would like to see Cedardale PS as a historical site. I attended from Kindergarten to grade 5 when I moved out of the area in 1996. I remember the many teachers and the principal. I remember the yard, track and field, the small ass gym, the many stairs to the bathroom, etc etc etc. It needs to be a historical site. Though people have left the area, we all remember our time there!

Sincerely

Elizabeth Hurley

DS-22-88

From: Shawna K <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 8:13 PM

To: clerks <clerks@oshawa.ca>

Subject: Preservation of Cedardale School

Hello

My name is Shawna Kirby and I have been a resident of Oshawa since 1978. I attended Cedardale School in grade one. About four years ago I went back to look inside and it was already altered so much that it lost a lot of what made it stunning. The only memory not disturbed was the entries and land surrounding it. Is it possible to save the picture in the front entrance? It's a memorial picture of the teacher that committed suicide in the school I believe in 1928??

Regardless of how much it's already changed I support the designation of Cedardale Public School and am asking that it be put back on the agenda for review at the next Development Service committee meeting.

Everything south of Bloor was originally Cedar Dale. The church and the school are the main visible land marks before Oshawa joined with Cedar Dale. Please keep some thing beautiful as we just seem to be getting more dumpy and trashy year after year.

Sincerely

Shawna Kirby

DS-22-88

From: Beatrice Northcott <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 8:29 PM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale school

Hello,

My name is Beatrice Northcott

I am writing this email in my support of the designation of Cedardale Public School and am asking that it be put back on the agenda for review at the next Development Services committee meeting.

Cedardale should be designated because it is something to save. Schools like this looked important, structured and permanent like the education they were providing.

It is important to me because my Mother-in-law and Father-in-law attended the school.

Thank you

Beatrice Northcott

DS-22-88

From: Tracy Scott-Lopers <M.F.I.P.P.A Sec. 14(1)>

Sent: Sunday, April 10, 2022 8:56 AM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale

Hello,

My name is Tracy Scott-Lopers.

I am writing this email in my support of the designation of Cedardale Public School and am asking that it be put back on the agenda for review at the next Development Services committee meeting.

Cedardale should be designated as it represents a community.

It is important to me because my journey with Cedardale began in 1975 and continued until 2003. As a former student and staff member of its twinned school Conant it has had a huge impact on my life and many others within the community.

Thank You,

Tracy Scott-Lopers

DS-22-88

April 8, 2022

To: clerks@oshawa.ca, Members of the Development Services Committee, Members of Heritage Oshawa Advisory Committee, rkerr@oshawa.ca jhurst@oshawa.ca - former council liaisons on Heritage Oshawa
Fr: Margaret Wilkinson
Re: DS-22-54

Dear Members of City Committees;

I have joined other former members of The Heritage Oshawa Advisory Committee to question the decision of the current committee re designation of Cedardale School.

I spent 7 years volunteering on the Heritage Oshawa Committee and its working groups to encourage, promote and celebrate Oshawa's Heritage. May I assume the current committee continues to have the same goals?

Too often when decisions are made there is no room, on the record, for an explanation for the decision. **I would like to know why the members of the Heritage Oshawa Committee came to this decision regarding Not moving forward to designate the former Cedardale School property.**

I commend Councillor Nicholson for asking the same question. In his stalwart and visible support of the residents in his ward, he has asked a simple question.

Perhaps, like me, he is also thinking of the wonderful Cedardale community which enabled Oshawa to form a community with a city stature in 1924. Now one of its most visible properties is being dismissed as not worthy of remembrance by civic designation.

I look forward to your reply.

Margaret Wilkinson
<M.F.I.P.P.A Sec. 14(1)>

Title: Draft Flow Chart Released by the Provincial Government Illustrating the Process to Designate a Property Under Section 29 (Part IV) of the Ontario Heritage Act

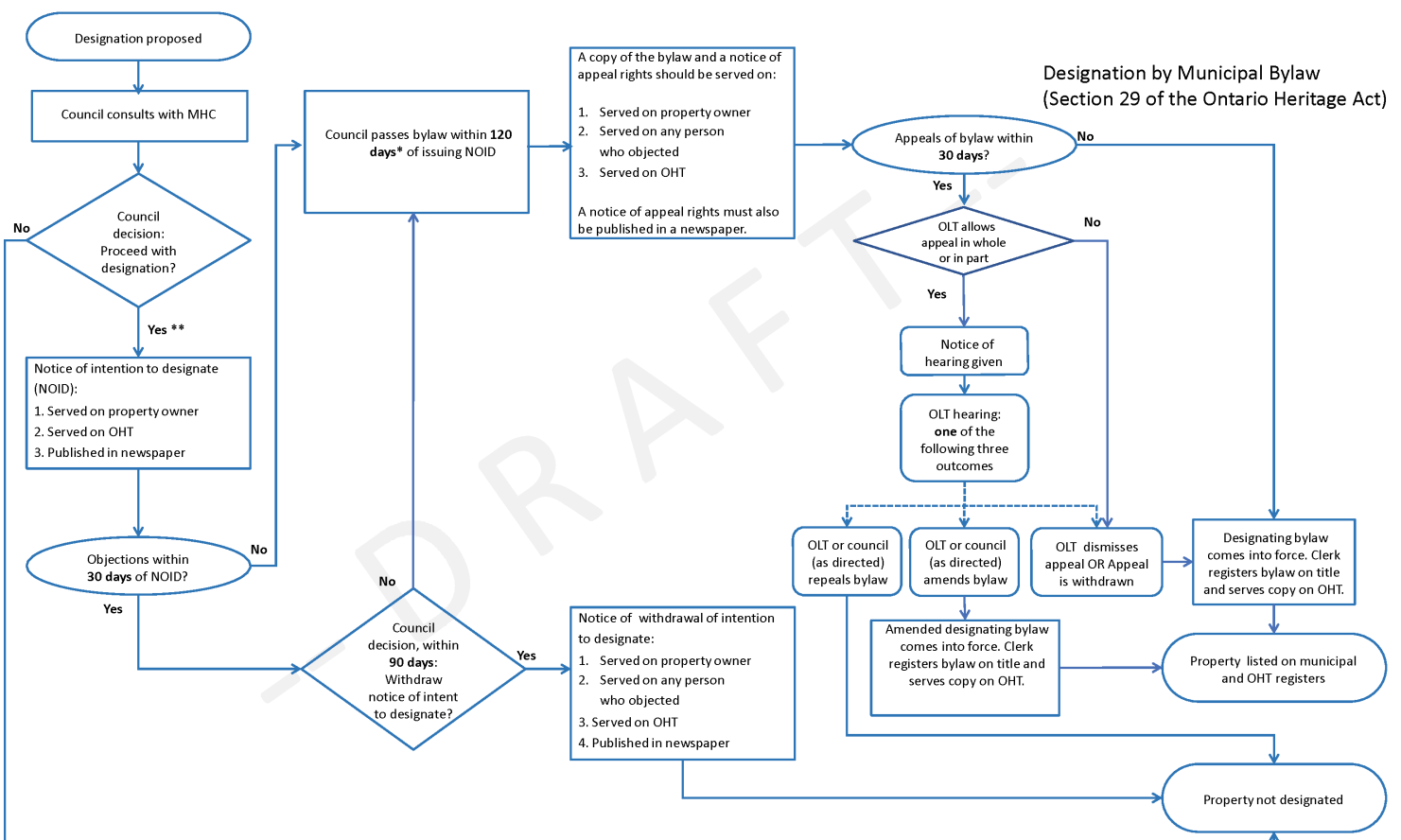
Subject: Heritage Oshawa's Motion Related to Designation of 827 Gordon Street under Part IV of the Ontario Heritage Act

Ward: Ward 5

File: 12-04-0458-2021

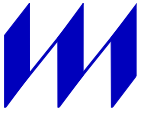
City of Oshawa 

Economic and Development Services



*If council fails to meet these timelines, the NOID will be deemed withdrawn, and council must issue a notice of withdrawal. For exceptions to the 120-day timelines, please consult the guidance text.

** Council has a limited 90 day period to give its notice of intention to designate a property when the property is subject to an official plan amendment, a zoning bylaw amendment, or plan of subdivision.



**WESTON
CONSULTING**

planning + urban design

**Item: CNCL-23-47
Attachment 7**

City of Oshawa
Planning and Development Department
50 Centre Street South
Oshawa, ON L1H 3Z7

April 27, 2022
File 10481

**Attn: Connor Leherbauer, Planner B
Planning and Development Department**

Dear Mr. Leherbauer,

**Re: Development Services Committee of Council – Heritage Designation
827 Gordon Street
Oshawa, ON
2835731 Ontario Inc.**

Weston Consulting is the planning consultant for 2835731 Ontario Inc., the registered owner of the property municipally addressed as 827 Gordon Street in the City of Oshawa (herein referred to as the 'Subject Property'). Weston Consulting has been engaged to assist the owner in the preparation and submission of development applications pertaining to the Subject Property. The purpose of this letter is to outline our client's position regarding the potential designation of the Subject Property under Part IV of the *Ontario Heritage Act*.

In summary, it is our position that designation of the Subject Property is premature at this time, and it is requested that this discussion be deferred to a later stage in of the planning process.

Description of Subject Property

The Subject Property has an approximate lot area of 12,050 square metres (1.2 ha) and lot frontages of 11.08 metres along Gordon Street and 91.3 metres along Wolfe Street. The Subject Property is located east of Gordon Street, north of Wolfe Street and abutting Simcoe Street South, adjacent to existing residential, commercial, and industrial uses. Residential lots abut the property to the north and east, and various commercial and residential properties are located to the west of the property. A number of apartment buildings are located within the area, including one directly abutting the northern lot line of the Subject Property. An industrial building is located in the area to the south.

The Subject Property is legally described as follows:

BLK A PL 198 EAST WHITBY; LT C27SHEET 28 PL 335 EAST WHITBY; OSHAWA

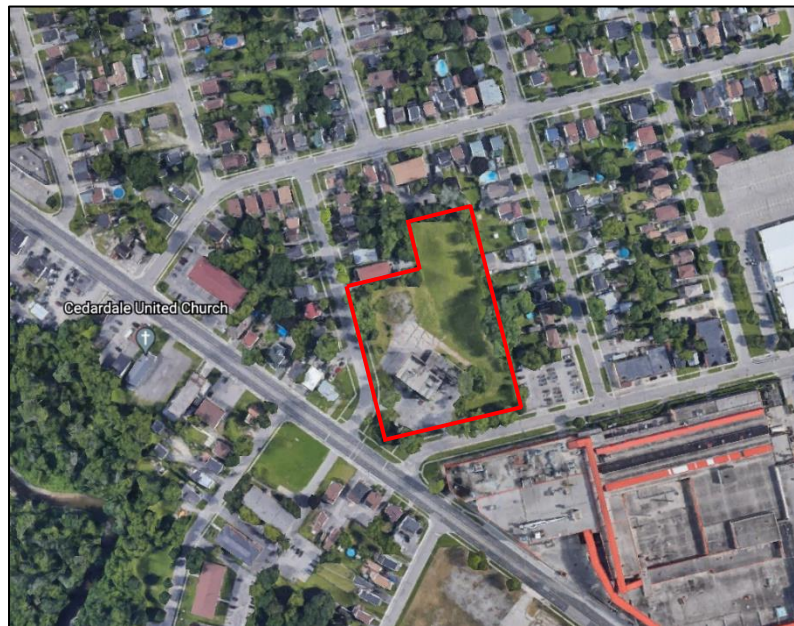


Figure 1 – Air Photo of the Subject Lands

Policy Context

City of Oshawa Official Plan

The City of Oshawa Official Plan designates the site as *Residential*. Lands designated as *Residential* are to be predominately used for residential dwellings. The Subject Property is located within the *Community Improvement Area Sub-Area I*, which is described as in need of various improvements regarding land use conflicts, building rehabilitations, and deficient infrastructure.

City of Oshawa Zoning By-law 60-94

The City of Oshawa Zoning By-law 60-94 zones the subject property as *Residential/Community Institutional Zones (R1-C/CIN)* which permits single detached dwellings, assembly hall, children's shelter, church, and other uses.

Heritage Designation

An existing two storey structure on the Subject Property (Cedardale Public School) is listed as a *Class A Heritage Building* within the City's heritage inventory.

Potential Heritage Designation on Subject Property

It is our understanding that City Staff were directed by the Development Services Committee of Council to prepare and advance a staff report concerning the designation of the Subject Property under Part IV of the *Ontario Heritage Act*. The noted report is anticipated to be advanced to the May 9th Committee meeting.

On behalf of our client, Weston had facilitated a Pre-Application Consultation (PAC) Meeting with Planning Staff and received a PAC Checklist dated February 7, 2022 outlining the submission requirements for a townhouse development proposal on the Subject Property, which includes a Heritage Impact Assessment. Our client has retained a heritage architect to prepare the HIA and make a recommendation regarding conservation of the cultural heritage values of the school.

We would like to clarify that it is our client's intention to retain the existing Cedardale Public School and incorporate it into the final development. The noted heritage architect has also been directed to prepare a schematic design for the adaptive reuse of the school concurrently with the Heritage Impact Assessment. Accordingly, it would be appropriate to await the results of the HIA, which would determine the heritage value of the listed building and its heritage attributes and include the preparation of a Statement of Significance, and to discuss the school's potential designation at the conclusion of the planning applications process.

We request to be notified of any further studies, revisions, approvals and/or notices applicable to the heritage designation process and reserve the right to provide further comments as more information becomes available. Should you have questions or require anything further, please do not hesitate to contact the undersigned (ext. 236) or Steven Pham (ext. 312).

Yours truly,

Weston Consulting

Per:



Kevin Bechard, BES, M.Sc., RPP
Senior Associate

c. Herbert Chen, 2835731 Ontario Inc.
Dima Cook, EVOQ Architecture Inc.

Connor Leherbauer

Subject: FW: heritage designation of 827 Gordon Street - response required

From: James Todd <jtodd@westonconsulting.com>

Sent: Monday, April 24, 2023 2:22 PM

To: Connor Leherbauer <Cleherbauer@oshawa.ca>

Cc: Kayly Robbins <krobbins@westonconsulting.com>; Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'herbert chen' <mldchca@126.com>; Dima Cook <dcook@evoqarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>

Subject: RE: heritage designation of 827 Gordon Street - response required

You don't often get email from jtodd@westonconsulting.com. [Learn why this is important](#)

Hi Connor,

We are aiming to have the submission in to the City within the next few weeks.

Thank you,

JAMES TODD
PLANNER

VAUGHAN 905.738.8080 x345
TORONTO 416.640.9917 x345
WESTONCONSULTING.COM



From: Connor Leherbauer <Cleherbauer@oshawa.ca>

Sent: Monday, April 24, 2023 2:13 PM

To: James Todd <jtodd@westonconsulting.com>

Cc: Kayly Robbins <krobbins@westonconsulting.com>; Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'herbert chen' <mldchca@126.com>; Dima Cook <dcook@evoqarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>

Subject: RE: heritage designation of 827 Gordon Street - response required

Hi James,

Thank you, I appreciate the prompt response.

Are you able to advise at this time as to when you anticipate the development application would be submitted to the City?

Best regards,



Connor Leherbauer, Senior Planner | City of Oshawa
905-436-3311 ext. 2402 | 1-800-667-4292
CLeherbauer@oshawa.ca | www.oshawa.ca
"Dedicated to serving our community."



From: James Todd <jtodd@westonconsulting.com>

Sent: Monday, April 24, 2023 1:57 PM

To: Connor Leherbauer <CLeherbauer@oshawa.ca>

Cc: Kayly Robbins <krobbins@westonconsulting.com>; Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'herbert chen' <mldchca@126.com>; Dima Cook <dcook@evogarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>

Subject: RE: heritage designation of 827 Gordon Street - response required

You don't often get email from jtodd@westonconsulting.com. [Learn why this is important](#)

Good afternoon Connor,

I can confirm that our opinion remains unchanged. The Heritage Impact Assessment is complete, and will be included as part of our upcoming submission to the City.

Please let me know if you have any additional questions.

Thank you,

JAMES TODD
PLANNER

VAUGHAN 905.738.8080 x345
TORONTO 416.640.9917 x345
WESTONCONSULTING.COM



From: Connor Leherbauer <CLeherbauer@oshawa.ca>

Sent: April 21, 2023 3:04 PM

To: Steven Pham <spham@westonconsulting.com>

Cc: Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'Kevin Bechard' <kbechard@westonconsulting.com>; 'Anthony Jia' <anthony_jia@yahoo.com>; 'herbert chen' <mldchca@126.com>; 'Dima Cook' <dcook@evogarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>

Subject: RE: heritage designation of 827 Gordon Street - response required

Hi Steven,

Hope you are doing well.

Given the time that has passed, would you be able to confirm for me whether the positions outlined in your correspondence dated April 27, 2022 with respect to 827 Gordon Street remained unchanged? As well, would you be

able to provide me with an update concerning the completion of the Heritage Impact Assessment described within your correspondence?

I would appreciate a response by no later than next Wednesday, April 26, end of day.

Thank you Steven.

Best regards,



Connor Leherbauer, Senior Planner | City of Oshawa

905-436-3311 ext. 2402 | 1-800-667-4292

CLeherbauer@oshawa.ca | www.oshawa.ca

"Dedicated to serving our community."



From: Frances Scanga <M.F.I.P.P.A. Sec. 14 (1)>

Sent: Monday, February 20, 2023 8:26 PM

To: clerks <clerks@oshawa.ca>

Cc: Mayor@Oshawa.ca; Laura Davis <LDavis@oshawa.ca>; jgrey@oshawa.ca; Rick Kerr <RKerr@oshawa.ca>; John Neal <JNeal@oshawa.ca>; Rosemary McConkey <RMcConkey@oshawa.ca>; Jim Lee (Councillor) <JALee@oshawa.ca>; Bob Chapman <BChapman@oshawa.ca>; Bradley Marks <BMarks@oshawa.ca>; Derek Giberson <DGiberson@oshawa.ca>; Brian Nicholson <BNicholson@oshawa.ca>; Tito-Dante Marimpietri <TDMarimpietri@Oshawa.ca>

Subject: Lease Renewal for the Oshawa Bocce Club

Dear Ms. Laura Davis,

As per our recent telephone conversation and as spokesperson for the Oshawa Bocce Club, I would like to come in front of Council.

I have been requesting this for several years (before our lease expired, before Covid) but was not granted that, not even through zoom.

Months before the elections, I asked to have a meeting with the Mayor, and with several calls and excuses we were not granted that either.

Several years of communicating with different staff members, and councilors and still no progress we ran out of patience. Therefore, I will make this last attempt (if it is granted).

Our position at the Oshawa Bocce Club is as follows:

Several decades ago, we gave our word to the City that we would continue to run the Club in the same manner. **It is Grandfathered in.** We have co-operated and supplied all requested information over and over, but we are not making any progress.

Therefore, our last attempt to make this work is as follows:

We will continue to run the Club as in the past and are willing to pay the City \$2000.00 (two thousand dollars) per year for the lease and all other coverages will be as it was.

It seems that staff did not calculate the time, effort and money that the Oshawa Bocce Club spends to maintain and run it successfully.

If this is not acceptable, please tell us now, and staff may run it. What we did in the past is as follows:

1. Cutting the grass once or twice per week
2. Preparing flower beds and flower pots
3. Trimmed bushes overgrowing inside the fenced area
4. Buying the flowers, planting, fertilize, water, weed etc. to maintain properly on a regular basis
5. Maintain the pathways (inside bocce land) clean of debris
6. Sift the "sand" to use the fine screen ~~one~~ only

7. Rake the courts, level them and re-apply fine sand every Monday
8. Water with sprinkler evenly and roll the 6 courts on Monday, Wednesday and on tournament days
9. Keep the shed in the north end clean and neat
10. Controlling the water and electrical panel to be working at all times
11. Cleaning and maintaining the south building in working order
12. Having "pest control" in the premises on a regular basis to keep it rodent free (in the beginning we had rats the size of a cat)
13. The toilets: cleaning them and disinfecting daily and stocking supplies etc.
 - the soap, toilet paper, hand towel and all cleaning supplies as needed
14. Regular maintenance of the sprinkler system
15. Professionally winterize sprinkler system in the fall
16. Removing all garbage from the enclosed area at all time
17. Organizing and maintaining a members list
18. Organizing a schedule for the league (men and ladies)

(if a team was rained out on league night, it has to be played on another day)

19. Organize a yearly picnic and other 'pot luck' functions
20. Organize the celebration of the season opening
21. Order the trophies for the winning teams at the end of the season
22. Organize a dinner and dance event to celebrate the players and give out the awards
23. Through the season we have regular meetings
24. At year end we have a general meeting usually held at the Oshawa Italian Club (we pay for the use of the facilities)

These are some of the things we did in the past, and would like to continue to support the community.

All of this takes time and money. We are volunteers, but.....Our time is also valuable.

Therefore, in conclusion, we need an answer now. From the Mayor, councilors, staff or whoever is in charge that can give us a definite answer.

We keep it as is OR we are ready to vacate the premises, YOU run it, and if it is done in a satisfactory way, we will purchase a membership.

Frances Scanga

Spokesperson for the Oshawa Bocce Club

The following is the content of a series of form letters forwarded to the City of Oshawa and included in an Information Package as INFO-23-73.

The original submission included 42 individual emails and can be viewed online here:

<https://pub-oshawa.escrimemeetings.com/filestream.ashx?DocumentId=11935>

Clerks Oshawa,

****Request to Municipal Clerks: Please include this email as correspondence on your next committee or council agenda****

TO: Regional Chair Henry and Planning & Economic Development Committee Chair Chapman

CC: Durham Regional Councillors, Durham Ward/City Councillors, Durham Region Clerks, Envision Durham, and Chief Planner Bridgeman

RE: Pause the Envision Durham Official Plan Review

The Envision Durham Official Plan Review process must be paused to allow regional and municipal planning staff time to account for the new land that the Government of Ontario has added.

Including the new Greenbelt carve-outs, 14,000 acres of prime farmland and natural heritage areas are slated to be added to today's urban boundary. This is far more than needed and a total that will undermine the financial and environmental health of Durham residents.

Furthermore, newly elected councillors across Durham Region have not had an adequate opportunity to understand and consider the implications of so much new sprawl for their respective municipalities and the region as a whole.

A pause to the Envision Durham process is not only prudent, but several lower-tier municipal staff reports have also called for more time to review:

City of Pickering: "The Province recently removed the Duffins Rouge Agricultural Preserve from the Greenbelt to enable imminent development of those lands. This is not reflected in the above-noted Envision Durham reports that have been circulated for comment. The Province's action creates tremendous uncertainty about growth allocations and settlement area boundary expansions for the City of Pickering. Accordingly, staff are of the opinion that it is premature to comment further on the Envision Durham reports at this time."

(<https://corporate.pickering.ca/WebLink/0/edoc/247495/January%2023,%202023.pdf>)

Municipality of Clarington: “A condensed commenting period for area municipalities for policy and mapping changes of this magnitude is challenging and does not provide sufficient time for staff to undertake the necessary review. This is particularly so in the current context of the recent Bill 23 amendments, the implications of which are drastic.” (<https://weblink.clarington.net/weblink/0/edoc/402409/PDS-005-23.pdf>)

I urge you to pause the Envision Durham Official Plan Review to allow time for a fulsome assessment and to truly understand the long-term consequences of designating this much new land for regional growth. A growing body of research and best practices inform sustainable development, demonstrating that compact development is in the best interest of residents, current and future. The proposed plan is flawed and will cost us all. I'm imploring you to not lock in a big mistake for Durham Region!

From: Tim Bird <**M.F.I.P.P.A.**>
Sent: Wednesday, March 15, 2023 4:06 PM
To: clerks <clerks@oshawa.ca>
Subject: Snow removal in Oshawa: a discussion point for council

Hello all

I understand your snow removal crews are doing the best they can with what the equipment they have and the current protocols they need to follow.

After the plows had gone by after the last big snow fall, I had to shovel a wind row which was over 4 feet high and 6 feet wide at its largest point.

I am attaching photos. There is an attachment some cities use, which can prevent these wind rows from ending up in driveways.

My neighbors just turned 90. The husband Bill always clears his and his neighbors' sidewalk on both sides. Another neighbor and I helped clear his wind roll this time. He said the plow driver turned around and put a lot of extra snow in his driveway for some reason.

I worry about Bill and other elderly people who have to shovel this heavy snow.

I would like to suggest some options for discussion:

- 1/. That Oshawa invest in this extra attachment, which keeps the wind rows from ending up in peoples driveways to the extent it currently does.
- 2/. If an inordinate amount of this heavy snow ends up in some driveways, the driver could take note of the address and get city crews out to clear those large, heavy snow wind rows.
- 3/. I see the city sidewalk machines, cleaning certain sidewalks which people have not cleaned themselves. I am not sure how this works.. But it would be a similar policy to clear the extremely large wind rows off of those driveways where the driver realizes they got a large amount of snow.

Thank you for your time.

Tim Bird
M.F.I.P.P.A
Best Regards

Tim Bird, PMP, NCSO