



## **Oshawa City Council Minutes**

**June 26, 2023, 9:30 a.m.  
Council Chamber**

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

Absent: Councillor Marks

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### **Public Meeting**

Mayor Carter called the meeting to order and stated that all members of Council were participating from the Chamber except Councillor Marks who was absent.

### **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 Chapman  
Seconded by Councillor Giberson

The delegations of Jane Clark, Elizabeth Anderson, Marlene Grass, Mary Kettrick and Waqas Ahmad be added to the agenda, and Additional Correspondence CNCL-23-89 from Guillermo Ordonez and CNCL-23-90 from Jane Clark submitting comments concerning Closed Item ED-23-127 be added to the agenda for the meeting of June 26, 2023 and be referred to the respective report.

Motion Carried

## **Declarations of Pecuniary Interest**

### **Councillor McConkey - ED-23-117 - Recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan (Ward 1)**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

### **Councillor Gray - CNCL-23-73 - Correspondence submitted by Paul Weidemann concerning the Residential Rental Housing Licensing (RRHL) Program (INFO-23-126) (All Wards)**

He and his spouse own a legal 2-unit dwelling which could be subject to changes in regulation by the City of Oshawa and did not take part in discussion or voting on the matter.

### **Councillor Neal - CO-23-33 - Parks, Recreation, Library and Culture Needs Assessment (P.R.L.C.), Preliminary Indoor Facility Component Analysis for the Future Northwest Community Centre (All Wards)**

He sits on the Board of Directors for the Oshawa Seniors Community Centres and did not take part in discussion or voting on the matter.

### **Councillor Nicholson - ED-23-117 - Recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan (Ward 1)**

He has a family member who is employed at the Golf Course adjacent to land identified within the Columbus Part II Plan and did not take part in discussion or voting on the matter.

### **Councillor McConkey - Delegation - Ann Dulhanty - Item ED-23-117**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

### **Councillor McConkey - Delegation - Lubomir Poliacik - Item ED-23-117**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

### **Councillor McConkey - Delegation Jane Clark - Item ED-23-117**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

**Councillor McConkey - Delegation Elizabeth Anderson - Item ED-23-117**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

**Councillor McConkey - Delegation Mary Kettrick - Item ED-23-117**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

**Councillor McConkey - Marlene Grass - Item ED-23-117**

Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.

**Councillor Neal - CNCL-23-75 - Notice of Motion - Seniors Recreation Fees (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**

**Mayor Carter - 2023 Culture Counts Awards**

Mayor Carter presented the following 2023 Oshawa Culture Counts Awards:

Oshawa Culture Counts Professional Artist Award is awarded to Susan Campbell.

Oshawa Culture Counts Emerging Artist Award is awarded to Diana Nadia Lawryshyn.

Oshawa Culture Counts Innovation and Creation Champion Award is awarded to sisters, Anushka and Arushi Bhattacharjee.

**Delegations**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the delegations of Ann Dulhanty and Lubomir Poliacik, Jane Clark, Elizabeth Anderson, Marlene Grass and Waqas Ahmad be heard; and,

That the delegations of Gagan Hajatri, Shanta Chhangur, Donald Finlayson, Juan Alberto Vera and Sherland Chhangur be heard in closed session. **(Requires 2/3 vote of members present)**

Motion Carried

**Ann Dulhanty - Item ED-23-117**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Ann Dulhanty addressed City Council concerning Item ED-23-117 regarding recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan.

Members of Council questioned Ann Dulhanty.

**Lubomir Poliacik - Item ED-23-117**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Lubomir Poliacik addressed City Council concerning Item ED-23-117 regarding recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan.

Members of Council questioned Lubomir Poliacik.

**Jane Clark - Item ED-23-117**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Jane Clark addressed City Council concerning Item ED-23-117 regarding recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan.

Members of Council questioned Jane Clark.

**Elizabeth Anderson - Item ED-23-117**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Elizabeth Anderson addressed City Council concerning Item ED-23-117 regarding recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan.

Members of Council questioned Elizabeth Anderson.

**Marlene Grass - Item ED-23-117**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Marlene Grass addressed City Council concerning Item ED-23-117 regarding recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan.

Members of Council questioned Marlene Grass.

**Mary Kettrick - Item ED-23-117**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Mary Kettrick addressed City Council concerning Item ED-23-117 regarding recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan.

Members of Council questioned Mary Kettrick.

### **Waqas Ahmad - Item ED-23-123**

Waqas Ahmad addressed City Council concerning Item ED-23-123 regarding declaration of certain City-owned land as surplus on the west side of Park Road South, known municipally as 134 Park Road South.

Members of Council questioned Waqas Ahmad.

### **Items requiring Council Direction**

#### **CNCL-23-63 - New Community Centre in the Northwood Business Park (Ward 2)**

Moved by Councillor Chapman

Seconded by Councillor Lee

1. That pursuant to Report CNCL-23-63 dated June 21, 2023 regarding the new Community Centre in Northwood Business Park that staff be directed to proceed with the original scope of work with the exception of increasing the swimming pool to eight (8) lanes, and design and preparation of tender documents be completed using \$5.5 million of the already approved funding; and
2. That staff report back prior to tender on the total funds required to complete the facility and recommendations on a funding source.

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

Conflict (1): Councillor Neal

Absent (1): Councillor Marks

Motion Carried (9 to 0)

### **Public Consent Agenda**

Moved by Councillor Chapman

Seconded by Councillor Giberson

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated June 26, 2023 be adopted as recommended except the following:

Items CO-23-33, CO-23-34, CO-23-41, CO-23-39 and CO-23-40 from the Seventh Report of the Community and Operations Services Committee; and,

Items ED-23-118, ED-23-126, ED-23-117 and related By-laws 87-2023 and 88-2023 and ED-23-121 from the Thirteenth Report of the Economic and Development Services Committee; and,

Items SF-23-24, SF-23-26 and SF-23-25 from the Seventh Report of the Safety and Facilities Services Committee; and,

Reports CNCL-23-66 and related By-law 86-2023, CNCL-23-69 and CNCL-23-70.

Motion Carried

Moved by Councillor McConkey  
Seconded by Councillor Nicholson

That the meeting recess for fifteen minutes.

Motion Carried

The meeting recessed at 11:24 a.m. and reconvened at 11:40 a.m. with all members of Council present in the Chamber with the exception of Councillor Marks and Mayor Carter.

Councillor Chapman assumed the Chair.

### **Adoption of Council Minutes**

That the minutes of the City Council meetings held on May 29 and May 31, 2023 be adopted.

### **Correspondence with recommendations**

#### **CNCL-23-81 - Lubomir Poliacik Submitting Correspondence concerning Item ED-23-117 (Ward 1)**

That Correspondence CNCL-23-81 from Lubomir Poliacik submitting comments concerning Item ED-23-117 regarding a recommended Part II Plan for the Columbus Planning Area, and related amendments to the Oshawa Official Plan be referred to the respective item.

#### **CNCL-23-82 - Jess Joss Submitting Correspondence concerning Item ED-23-117 (Ward 1)**

That Correspondence CNCL-23-82 from Jess Joss submitting comments concerning Item ED-23-117 regarding a recommended Part II Plan for the Columbus Planning Area, and related amendments to the Oshawa Official Plan be referred to the respective item.

### **Standing Committee Reports**

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

##### **CO-23-37 - Community Resources Working Group Report - May 2023 (OACAC-23-12) (All Wards)**

That based on Report CO-23-37 dated May 23, 2023 being the Oshawa Animal Care Advisory Committee's Community Resources Working Group Report - May 2023, that the O.A.C.A.C. apply for third party funding such as a Grant or Sponsorship from one or two third-party organizations that Oshawa Animal Services currently has a pre-existing relationships with (i.e. PetSmart Grant Program or Pet Valu Sponsorship) up to \$10,000 to cover the cost of medications and other supplies for the Pet Wellness day.

**CO-23-38 - By-law and Regulatory Working Group Report - May 2023 (Formerly OACAC-23-13) (All Wards)**

That based on Report CO-23-38 being the Oshawa Animal Care Advisory Committee's By-law and Regulatory Working Group Report - May 2023, that Oshawa Animal Services apply for an Associate Membership with Humane Canada.

**CO-23-36 - Community and Operations Services Committee Outstanding Items List Status Report - Second Quarter 2023 (All Wards)**

That Report CO-23-36, dated June 6, 2023 being the Community and Operations Services Committee Outstanding Items Status Report for the second quarter of 2023 be received for information.

**CO-23-42 - Traffic and Safety Concerns – Bridle Road between Conlin Road and Solar Gate/Woodbine Avenue (Ward 2)**

Whereas concerns were received from residents regarding traffic and safety concerns on Bridle Road between Conlin Road and Solar Gate/Woodbine Avenue; and,

Whereas the concerns identified vehicle speeding and pedestrian safety; and,

Whereas the speed limit on this section of Bridle Road is 50 km/h; and,

Whereas the speed limit on Bridle Road north of Solar Gate/Woodbine Avenue is reduced to 40 km/h;

Therefore, be it resolved:

1. That the speed limit be reduced from 50km/h to 40km/h on Bridle Road between Conlin Road and Solar Gate/Woodbine Avenue, to increase the safety of the pedestrians in this area and that the corresponding By-law be passed; and,
2. That staff contact Durham Regional Police Services to advise them of the traffic and safety related concerns raised by the residents in this area.

**CO-23-35 - Publishing of Radar Message Board (RMB) Traffic Data on Municipal Website (All Wards)**

That Report CO-23-35 be referred back to staff for a report to be brought to the September Community and Operations Services Committee meeting.

**Report of the Corporate and Finance Services Committee**

**CF-23-51 - Kathryn Bremner Submitting Correspondence concerning ramp access in the City of Oshawa to improve accessibility (All Wards)**

Whereas there are Ontario municipalities that permit portable ramps at storefronts with a single step entrance; and,

Whereas the Canadian Charity StopGap has since 2023, populated the world with over 2,000 ramps to storefronts to help remove barriers to entry;

Now therefore staff consult with other Ontario municipalities and StopGap to investigate the successful process municipalities have adopted to permit the use of portable ramps that help remove

barriers to entry and report back to Committee and Council to find ways to permit improved accessible entry to premises with a step that a portable ramp custom designed to fit step heights between 2" and 9" could help remove barriers to entry and increase accessibility in the City.

#### **CF-23-46 - Single Source - Britannia Avenue West Bridge Detailed Design (Ward 2)**

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

Whereas, the design for the road and bridge has been developed to 90% by the developer's consultant (WSP Canada Inc.) per the Subdivision Agreement S-O-2012-01; and,

Whereas, Britannia Avenue West is an Arterial C road and as such is the City's responsibility to fund and construct; and,

Whereas, this bridge structure is required in order to facilitate the development west of Oshawa Creek, west of Windfields Farms; and,

Whereas, this structure is also for the extension of Britannia Avenue West to Thornton Road N as outlined in the recently completed Class Environmental Assessment; and,

Whereas, this phase of the project is for environmental assessment obligations, site investigations, field review, and detailed design completion to tender ready for the bridge structure only; and,

Whereas, Council approved funding for the design of the Britannia Ave W Bridge in the 2019 and 2023 Capital Budget, project 73-0492 in the total amount of \$369,000 including non-rebateable H.S.T.; and,

Whereas, it is administratively practical, creates standardization and design continuity, and is cost effective to single source the completion of the Britannia Ave W bridge design, environmental assessment, and site investigations to WSP Canada Inc. the engineer of record for the 90% design completed; and,

Whereas, the City will enter into negotiations with WSP Canada Inc. to execute a Contract for the completion of the detailed design and environmental obligation investigations to not exceed the budget amount of \$369,000 including the non-rebateable H.S.T.;

Therefore, be it resolved that pursuant to CF-23-46, Council authorize the Manager, Procurement to negotiate a single source contract with WSP Canada Inc. not to exceed the approved budget amount of \$369,000 including non-rebateable H.S.T. for Britannia Avenue West Bridge Detailed Design.

#### **CF-23-34 - Review and Proposed Replacement of the Election Sign By-law (All Wards)**

That Report CF-23-34 concerning a review and proposed replacement of the Election Sign By-law be referred to staff to consult with the public, Region of Durham, Local Riding Associations, Durham District School Board, Durham Catholic District School Board, and both French counterparts for review and that the aforementioned be invited to send written comments to Committee on the proposed by-law replacement.

#### **CF-23-44 - 2022 Audited Consolidated Financial Statements (All Wards)**

1. That the Financial Statements for the year ended December 31, 2022 attached to Report CF-23-44 dated May 31, 2023 be approved; and



2. That notice of the availability of the financial statements through the City's website or upon request through Service Oshawa be published in the local newspaper(s); and
3. That the Financial Statements be forwarded to appropriate stakeholders including the Province of Ontario and the City's banking institution.

#### **CF-23-49 - Publication of Ontario Land Tribunal Decisions (All Wards)**

Whereas on May 1, 2023 Council directed staff to report on including Ontario Land Tribunal (O.L.T.) decisions on matters that have been before the City's Committee of Adjustment and Oshawa Council in the Information Package as well as circulating to members of Council and staff; and,

Whereas the current practice when a notification of a Tribunal decision is received is to circulate the correspondence to members of Council and relevant staff in Planning Services and/or Legal Services; and,

Whereas the correspondence is provided in a PDF format that does not meet the City's requirements with respect to accessibility for publication on the website; and,

Whereas each item of correspondence would require significant remediation work by Legislative Services staff to prepare the document to meet the City's accessibility standards for posting to the website; and,

Whereas the O.L.T. makes case status and decision information publically available on its website at <https://olt.gov.on.ca/decisions/>, allowing users to search for cases before the Tribunal by property location, municipality, applicable legislation, case number or reference number; and,

Whereas a link can be provided on the City's page for the Committee of Adjustment to the O.L.T. Case Status and Decisions Page to ensure the most current information is available to the public;

Therefore be it resolved that based on Report CF-23-49 dated May 31, 2023, Ontario Land Tribunal decisions on matters that have been before the City's Committee of Adjustment and Oshawa Council be circulated to members of Council and relevant staff in Planning Services and that the link to the online case status and decision information of the O.L.T. be provided on the Committee of Adjustment webpage.

#### **CF-23-50 - Corporate and Finance Services Committee Outstanding Items List Status Report - Second Quarter 2023 (All Wards)**

That Report CF-23-50, dated May 31, 2023 being the Corporate and Finance Services Committee's Outstanding Items List Status Report for the second quarter of 2023 be received for information.

#### **CF-23-53 - Community Improvement Plan Project-based Grant Funding (All Wards)**

That Part 1 of the following motion be referred to the 2024 budget for consideration and that Part 2 be referred to the Economic and Development Services Committee:

1. That the total funding available for CIP project-based grant funding be increased for 2024 by 15%; and,
2. That the category process be reviewed and streamlined to find a way for a distinct category to incentivize and support accessibility improvements.

### **CF-23-54 - Attendance Policy for Presentations (All Wards)**

That staff consult with and review neighbouring regional municipalities virtual meeting attendance policy for council professional services, proponents such as developers and major institutions, and report to committee with the staff findings and recommendation to revert back to in person presentations and attendance of the aforementioned parties unless of an emergency.

### **CF-23-55 - Federation of Canadian Municipalities (FCM) Resolution concerning Municipal Growth Framework (All Wards)**

Whereas the Federation of Canadian Municipalities (FCM) convened its annual conference from May 25 to 28, 2023, in Toronto, Ontario; and,

Whereas, in their respective speeches to FCM members, both Carole Saab, FCM CEO, and Scott Pearce, FCM President, called for new fiscal frameworks for municipalities across Canada; and,

Whereas at the Resolutions Plenary on May 27, FCM members debated and voted overwhelming in favour of a resolution calling for the following:

'...that Canada needs a modernized fiscal framework for municipalities, that FCM shall lead the development of a Municipal Growth Framework that links municipal financial capacity to factors such as national population growth and economic growth, and that FCM shall call on the federal government to engage with FCM in the development of that framework with a focus on new sources of municipal revenue'; and,

Whereas municipalities in Canada have been historically limited to taxation of property as the primary source of revenue, to the exclusion of other taxation tools permitted and used in municipalities in other jurisdictions globally, and such other taxation tools have proven to be the basis for more financially resilient, sustainable, and successful cities as compared to those reliant primarily on taxation of property; and,

Whereas municipalities in Canada are the order of government closest to the everyday lives of Canadians and are continually being asked to do more to serve Canadians without matching increases in stable, reliable, fiscally-appropriate revenue streams, and at present collect only about 10 cents to each tax dollar collected in Canada;

Therefore be it resolved:

1. That Oshawa City Council strongly affirm its support for the full resolution passed at the 2023 FCM conference in Toronto, Ontario, joining the nationwide call for the development of a modernized fiscal framework for Canadian municipalities; and,
2. That this resolution be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Ontario Minister of Municipal Affairs and Housing, Durham Region Council and the seven lower-tier municipalities in Durham Region, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, and the Institute on Municipal Finance and Governance at the University of Toronto.

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

**ED-23-133 - Commissioner, Planning and Economic and Development, Region of Durham forwarding a copy of 2023-INFO-40 concerning the 2022 Annual Building Activity Review (CNCL-23-55) (All Wards)**

That Correspondence ED-23-133, dated May 5, 2023, concerning Commissioner, Planning and Economic and Development, Region of Durham forwarding a copy of 2023-INFO-40 concerning the 2022 Annual Building Activity Review be received for information.

**ED-23-134 - Update on Report DS-16-23 concerning the Proposed Program for Honouring the Windfields Farm Legacy (HTG-23-37) (Ward 1)**

That Report ED-23-134, dated May 19, 2023, concerning an Update on Report DS-16-23 regarding the Proposed Program for Honouring the Windfields Farm Legacy, be received for information.

**ED-23-114 - Application to Amend Zoning By-law 60-94, Central Clear View Developments Inc., 39 Athol Street West (Ward 4)**

That, pursuant to Report ED-23-114 dated May 31, 2023, the application submitted by Independent Project Managers on behalf of Central Clear View Developments Inc. to amend Zoning By-law 60-94 (File: Z-2023-01) to rezone 39 Athol Street West to permit the development of a 12-storey, 140-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 Legal Services.

**ED-23-122 - Proposed Revisions to Planning Application Pre-Consultation Process and Associated Fees, and Status of Appeal of Amendment 212 to the Oshawa Official Plan (All Wards)**

1. That, pursuant to Report ED-23-122 dated May 31, 2023, the amendments to Pre-consultation By-law 22-2023 be approved and the amending by-law be passed generally in accordance with Section 5.3 and Attachment 4 to said Report; and,
2. That, pursuant to Report ED-23-122 dated May 31, 2023, the amendments to General Fees and Charges By-law 13-2003, as amended, be approved and the amending by-law be passed generally in accordance with Section 5.4 and Attachment 5 to said Report and that the requirement for public notice (including newspaper advertisements) in Notice to the Public By-law 147-2007, as amended, be waived due to timing limitations and the urgent nature of the matter.

**ED-23-123 - Declaration of Certain City-owned Land as Surplus on the West Side of Park Road South, Known Municipally as 134 Park Road South (Ward 4)**

1. That pursuant to Report ED-23-123 dated May 31, 2023, the City-owned land located on the west side of Park Road South and known municipally as 134 Park Road South be declared surplus to municipal requirements and that the requirement to declare a City-owned property first as potentially surplus in accordance with By-law 178-2022, be waived given the localized nature of the matter; and,
2. That pursuant to Report ED-23-123 dated May 31, 2023, all notice requirements in accordance with By-law 178-2022 (e.g. newspaper ads) be waived given the localized

nature of Council's decision to declare the subject City-owned land located on the west side of Park Road South and known municipally as 134 Park Road South as surplus.

**ED-23-124 - Annual Update on Plan 20Thirty Downtown Revitalization Action Plan (Ward 4)**

That Report ED-23-124, dated May 31, 2023, concerning the Annual Update on Plan 20Thirty Downtown Revitalization Action Plan be received for information.

**ED-23-125 - Temporary Public Art Installation in Ed Broadbent Waterfront Park (Ward 5)**

That, pursuant to Report ED-23-125 dated May 31, 2023, that a new outdoor photography exhibition be approved for temporary installation in Ed Broadbent Waterfront Park generally in accordance with Attachment 4 to this Report.

**ED-23-128 - Economic and Development Services Committee Outstanding Items List Report - Second Quarter (All Wards)**

That Report ED-23-128, dated May 30, 2023 being the Economic and Development Services Committee's Outstanding Items Status Report for the second quarter of 2023 be received for information.

**Report of the Safety and Facilities Services Committee**

**SF-23-27 - Reduction in Peddler Licence Fees (All Wards)**

Whereas the Business Licensing By-law 120-2005, as amended ("Licensing By-law") is a by-law to license, regulate and govern certain businesses operating in the City of Oshawa ("City"); and,

Whereas Schedule "H" of the Licensing By-law requires that any person operating as a Peddler to be licensed; and,

Whereas the Licensing By-law defines Peddlers in three (3) classes, generally pertaining to the business operations of persons who vend goods, wares and/or merchandise on a temporary or transitory basis, which includes but is not limited to outdoor vendors, organizers of special events, flea market operators, and seasonal sale vendors; and,

Whereas the General Fees and Charges By-law 13-2003, as amended (General Fees and Charges By-law) prescribes Peddler licensing fees, which range from \$175 to \$475; and,

Whereas local business operators and individuals that require a Peddler Licence have raised concerns related to costs associated with attaining a Peddler Licence for the purposes of hosting and participating in special events; and,

Whereas pursuant to Council's February 27, 2023 direction, staff are presently conducting a modernization review of the Licensing By-law and reporting back to Safety and Facilities Service Committee with potential by-law amendments to update the Licensing By-law; and,

Whereas promoting and encouraging community special events is aligned with Oshawa Strategic Plan 2020 – 2023 and specifically its strategic goal 4.4 Cultural Vitality; and,

Whereas Council considers it appropriate to reduce the licence fee for the three (3) classes of Peddler Licence in the General Fees and Charges By-law to \$25 (not including the \$75 business

licence application fee) for persons who require a Peddler Licence as an interim measure pending the completion of the modernization review of the Licensing By-law;

Therefore be it resolved:

1. That Council pass a by-law in a final form and content acceptable to Legal Services and the Chief Administrative Officer to amend the General Fees and Charges By-law 13-2003, as amended to reduce the licence fee for each of the three (3) classes of Peddler Licence to \$25; and,
2. 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 be waived.

### **Other Staff Reports and Motions**

#### **CNCL-23-64 - Options for the 2024-2027 Oshawa Strategic Plan (All Wards)**

1. That based on CNCL-23-64, dated June 21, 2023, concerning Options for the 2024 – 2027 Oshawa Strategic Plan, Council adopt Option 1: Develop a new Strategic Plan as outlined in Section 5.7.1; and,
2. That staff be directed to receive feedback as outlined in Section 5.8 from the community, members of Council and staff based on Option 1: Develop a new Strategic Plan; and,
3. That staff report back to Council on the input received and recommended new Oshawa Strategic Plan.

#### **CNCL-23-71 - Additional Information related to Report CF-23-25: Public Engagement Initiatives - 2024 Budget (All Wards)**

1. That public engagement for the 2024 City Budget, as proposed in Report CF-23-25 'Public Engagement Initiatives – 2024 Budget', dated April 12, 2023, be approved; and,
2. That staff be directed to consult with the Mayor and the Councillors, by Ward, to receive their input.

#### **CNCL-23-88 - Region of Durham Accessibility Award Nomination (All Wards)**

Whereas the Region of Durham requested nominations from the Oshawa Accessibility Advisory Committee for the Regional Accessibility Awards to be presented in the fall of 2023; and,

Whereas Advisory Committees must seek Council approval before submitting award nominations for consideration; and,

Whereas the deadline for nominations is August 14, 2023; and,

Whereas in order to meet the deadline for submission, City Council must consider the O.A.A.C.'s nomination,

Therefore be it resolved that David McKay, former Oshawa Accessibility Advisory Committee member be nominated for the 2023 Region of Durham Accessibility Award.

### **By-Laws**

The following By-laws were passed:

**79-2023 - A By-law to Designate the property located at 30 Connaught Street**

(Implements Council direction of February 27, 2023 through Item ED-23-31 of the Fifth Report of the Economic and Development Services Committee to designate the property located at 30 Connaught Street, specifically PIN 16318-0036 (LT): LT 72 PL 146 OSHAWA; S/T EXECUTION 98-03017, IF ENFORCEABLE; CITY OF OSHAWA; REGIONAL MUNICIPALITY OF DURHAM, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.)

**80-2023 - A By-law to amend Zoning By-law 60-94, as amended**

(Implements direction of June 26, 2023 through Item ED-23-114 of the Thirteenth Report of the Economic and Development Services Committee to change the zoning for the lands located at 39 Athol Street West from CBD-B (Central Business District) to CBD-B(3) (Central Business District) to permit a new 12-storey apartment building containing 140 apartment units with site specific regulations related to increased maximum residential density and building height, reduced minimum building setbacks to street lines above 20 metres and reduced required parking.)

**81-2023 - A By-law to Further Amend Traffic By-law 79-99, as amended**

(Implements Council direction of June 20, 2022 through Item DS-22-163 of the Fourth Report of the Joint Development Services and Community Services Committees to include the definition of 'electric kick-scooter' as defined in subsection 1(1) of Ontario Regulation 389/19 of the Highway Traffic Act; amending subsection 4.50 'designated bicycle lanes' by inserting the phrase 'electronic kick-scooters' and adding a new subsection 4.53.)

**82-2023 - A By-law to further amend Pre-consultation By-law 22-2023**

(Implements direction of June 26, 2023 through Item ED-23-122 of the Thirteenth Report of the Economic and Development Services Committee to implement a revised process for managing pre-consultations for potential applications to amend the Oshawa Official Plan (O.O.P.) and Zoning By-law 60-94, applications for approval of draft plans of subdivision and condominium, and applications for site plan approval.)

**83-2023 - A By-law to further amend General Fees and Charges By-law 13-2003, as amended**

(Implements direction of June 26, 2023 through Item ED-23-122 of the Thirteenth Report of the Economic and Development Services Committee to approve amendments to the City's General Fees and Charges By-law 13-2003, as amended, related to the recommended updated pre-consultation process.)

**84-2023 - A By-law to amend Delegation of Authority By-law 29-2009, as amended**

(Implements Council direction of May 1, 2023 through Item ED-23-62 of the Ninth Report of the Economic and Development Services Committee in order to facilitate management and oversight of the Corporation of the City of Oshawa's process for applications under Section 33 and 34, Part IV of the Ontario Heritage Act, R.S.O. 1990, c.O.18.)

**85-2023 - A By-law to amend the City's General Fees and Charges By-law 13-2003, as amended**

(Implements direction of June 26, 2023 through Item SF-23-27 to reduce the fees for the three (3) classes of the Peddler Licence in the City's General Fees and Charges By-law 13-2003, as amended for those persons who require a Peddler Licence as an interim measure until such time the General Fees and Charges By-law has been reviewed and updated by City staff.)

#### **89-2023 - A By-law to amend Traffic By-law 79-99, as amended**

(Implements direction of June 26, 2023 through Item CO-23-42 of the Seventh Report of the Community and Operations Services Committee to reduce the speed limit on Bridle Road from Conlin Road East to Northern Dancer Drive to 40 km/h.)

#### **Public Discussion Agenda**

Councillor Chapman assumed the Chair.

#### **Matters Excluded from Consent Agenda**

#### **CO-23-33 - Parks, Recreation, Library and Culture Needs Assessment (P.R.L.C.), Preliminary Indoor Facility Component Analysis for the Future Northwest Community Centre (All Wards)**

Councillor Neal declared a conflict on this item. (He sits on the Board of Directors for the Oshawa Seniors Community Centres and did not take part in discussion or voting on the matter.)

Consent Motion:

That Report CO-23-33 dated June 7, 2023, concerning the preliminary indoor facility component analysis for the future Northwest Community Centre be received for information.

The vote to adopt the recommendation contained in Item CO-23-33.

Affirmative (8): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, and Councillor Nicholson

Conflict (1): Councillor Neal

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (8 to 0)

#### **CO-23-34 - Enhanced Green Bin Program (All Wards)**

Consent Motion:

1. That based on Report CO-23-34, dated June 7, 2023, concerning the Enhanced Green Bin Program, staff be authorized to work with the Region of Durham's Waste Management Division on the coordination of the enhanced green bin program; and,
2. That staff review the roles and responsibilities as it relates to the provision of waste collection services including green bin collection at multi-residential buildings; and,
3. That staff report back on the outcome of the discussions with the Region; and,

4. That the City of Oshawa's Waste Collection By-law 11-2008, as amended, be further amended to reflect the organics management program changes pending further discussions with the Region of Durham.

The vote to adopt the recommendation contained in Item CO-23-34.

Motion Carried

#### **CO-23-41 - Crosswalk on Glen Street adjacent to Cordova Valley Park (Ward 5)**

Consent Motion:

Whereas the City has constructed the Cordova Valley Off-Leash Dog Park and undertaken a modernization of Cordova Valley Park, including a new splash pad; and,

Whereas the opening of the new community splash pad at Cordova Valley Park is only going to increase the number of residents, especially children, using Cordova Valley Park; and,

Whereas the City has also leased the community clubhouse, and allows the creation of an two new community gardens in Cordova Valley Park; and,

Whereas currently staff have designated this area, including Glen Street, as requiring a Heavy Trucks Ban; and,

Whereas traffic studies have identified that in excess of 2000 vehicles travel daily along Glen Street; and,

Whereas there are in excess of 1500 residential units with a population of approx. 5000 residents, including children and seniors, on the west side of Glen Street with both Cordova Valley Park and the Off-Leash dog park being on the east side of Glen Street; and,

Whereas there is no marked crossing on Glen Street between Medina Court and Malaga Road, and pedestrians are crossing Glen Street at numerous uncontrolled crossings;

Be it resolved:

That a crosswalk be installed across Glen Street as close to the driveway entrance to Cordova Valley Park as is safe to install to provide safe and controlled crossing for pedestrians using the Park and the Off-Leash Dog Park.

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

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

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (9 to 0)

#### **CO-23-39 - Renewal Squared - Oshawa Municipal Textile Recycling (All Wards)**

Councillor Marimpietri assumed the Chair.



Consent Motion:

That based on the presentation by Renewal Squared, staff investigate the collaboration with Renewal Squared for the implementation of the Municipal Textile Program to implement community-driven clothing collection initiatives.

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

Affirmative (3): Councillor Giberson, Councillor Gray, and Councillor McConkey

Negative (6): Councillor Chapman, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Neal, and Councillor Nicholson

Absent (2): Mayor Carter, and Councillor Marks

Motion Lost (3 to 6)

Councillor Chapman resumed the Chair.

### **CO-23-40 - Boulevard Grass Cutting Program (All Wards)**

Consent Motion:

That the following motion concerning the Boulevard Grass Cutting Program be referred to staff for a report:

Whereas the current boulevard grass cutting program for Oshawa seniors and those with disabilities is limited to side yards only; and,

Whereas there are many residents of Oshawa who meet the current eligibility criteria but whose properties are adjacent to city boulevards but not adjacent to side yards; and,

Whereas they would benefit from an expansion of the current program.

Be it resolved:

1. That the current limitation of the Side Boulevard Grass Cutting Program to only side yards be removed and that all properties who meet the current eligibility criteria be offered the service; and,
2. That staff investigate an extension of the program to allow for grass cutting to occur on the entire property of those eligible for the boulevard grass cutting program and report back to committee and Council as soon as possible following the summer break; and,
3. That staff advertise the change in policy in both the media and on the city webpages

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

Motion Carried

### **ED-23-118 - Proposed Design and Location for Northwood Business Park Gateway Signage (Ward 2)**

Consent Motion:

That pursuant to Report ED-23-118, dated May 31, 2023 Attachment 1 (Option A) be adopted as the preferred design concept for the Northwood Business Park gateway sign.

The vote to adopt the recommendation contained in Item ED-23-118.

Motion Carried

#### **ED-23-126 - Update on Landmark Oshawa Sign Project (Ward 4)**

Consent Motion:

That, pursuant to Report ED-23-126, dated May 31, 2023, the Oshawa Sign Team continue to solicit community donations with the following new targets:

1. 75% of the \$500,000 target by January 31, 2024; and,
2. 100% of the \$500,000 target by March 8, 2024, representing the City's 100th anniversary as a City.

The vote to adopt the recommendation contained in Item ED-23-126.

Affirmative (3): Councillor Giberson, Councillor Gray, and Councillor McConkey

Negative (6): Councillor Chapman, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor Neal, and Councillor Nicholson

Absent (2): Mayor Carter, and Councillor Marks

Motion Lost (3 to 6)

#### **ED-23-117 - Recommended Part II Plan for the Columbus Planning Area, and Related Amendments to the Oshawa Official Plan (Ward 1)**

Councillor McConkey declared a conflict on this item. (Her family has property in the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Councillor Nicholson declared a conflict on this item. (He has a family member who is employed at the Golf Course adjacent to land identified within the Columbus Part II Plan and did not take part in discussion or voting on the matter.)

Consent Motion

1. That, pursuant to Report ED-23-117 dated May 31, 2023, the City-initiated amendment to Part I of the Oshawa Official Plan (File: 12-03-1453) to put in place amendments to the Part I Plan necessary to ensure the appropriate integration of a new Part II Plan for the Columbus Planning Area, as contained in Attachment 4 of said Report, be adopted generally in accordance with the comments in the Report and be forwarded to the Region for approval; and,

2. That, pursuant to Report ED-23-117 dated May 31, 2023, the City-initiated amendment to introduce a Part II Plan for the Columbus Part II Planning Area (File: 12-03-1453) to serve as a guide for development or redevelopment, as contained in Attachment 5 of said Report be adopted generally in accordance with the comments in the Report and be forwarded to the Region of Durham for approval; and,
3. That the Region of Durham be requested to amend the Durham Regional Official Plan to implement the City's proposed amendments in accordance with the comments contained in Report ED-23-117 dated May 31, 2023; and,
4. That the Columbus Community Urban Design Guidelines, as shown in Attachment 7 of Report ED-23-117 dated May 31, 2023, be endorsed as the Columbus Community Urban Design Guidelines for the Columbus Part II Planning Area.

**Amendment:**

Moved by Councillor Neal

Seconded by Councillor Marimpietri

That Item ED-23-117 and associated By-laws be deferred to the next meeting of Council.

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

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

Conflict (2): Councillor McConkey, and Councillor Nicholson

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (4 to 3)

**ED-23-121 - Status of Renaming Bagot Street (Ward 4)**

Consent Motion:

1. That, pursuant to Report ED-23-121 dated May 31, 2023, Bagot Street be renamed in recognition of the harmful recommendations included in the Bagot Commission's Report of 1844 toward Indigenous Peoples in Canada; and,
2. That, pursuant to Report ED-23-121 dated May 31, 2023, staff establish a Bagot Street Renaming Working Group for consultation purposes as shown on Attachment 1, with the objective of developing guidelines for a new name and recommending potential new names for consideration by City Council; and,
3. That, pursuant to Report ED-23-121 dated May 31, 2023, staff report back to the Economic and Development Services Committee with recommended potential new street names following consultations as outlined in Part 2 above in addition to those previously directed by Council pursuant to Item DS-21-152 dated September 13, 2021 and Item DS-22-123 dated June 20, 2022.

The vote to adopt the recommendation contained in Item ED-23-121.

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

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (9 to 0)

**SF-23-24 - Safety and Facilities Services Committee Outstanding Items Status Report - Second Quarter 2023 (All Wards)**

Consent Motion:

That Report SF-23-24, dated June 7, 2023 being the Safety and Facilities Services Committee's Outstanding Items Status Report for the second quarter of 2023 be received for information.

That Council adopt the recommendation contained in Item SF-23-24

Motion Carried

**SF-23-26 - Lot Maintenance By-law Violation Fees (All Wards)**

Consent Motion:

That the following motion be referred to staff for a report:

Whereas long grass and weeds can contribute to health issues and impacts on community image; and,

Whereas the City of Oshawa's ("the City") Lot Maintenance By-law 127-2007 and, as amended regulates every property owner to maintain their land; and,

Whereas the current standard for long grass or weeds is not to exceed a height of 20 centimetres (8 inches); and

Whereas in response to numerous complaints received from the public; and,

Whereas staff have been undertaking an education-focused enforcement approach by issuing warnings or revisiting properties in hopes that the combination of warning, education, communication, and A.M.P.s, where necessary, would promote compliance; and,

Whereas there is a concern that the continued education and issuance of warnings related to the long grass and weeds is not efficient as it adds costs to the City and, in some cases, may not deter repeat offenders; and

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

Therefore be it resolved:

1. That staff be directed to discontinue the education-focused enforcement approach and instead adopt a penalties-based enforcement approach for property owners in violation

of Sections 4.1(c) and or 4.6 (b) of the Lot Maintenance By-law 127-2007 as amended; and,

2. That property owners in violation of the Lot Maintenance By-law will continue to be responsible for all other applicable fees and charges, as established by General Fees and Charges By-law 13-2003, as amended; and,
3. That staff be directed to continue the robust annual communications and advertising strategy with a focus on educating property owners about their responsibilities and applicable penalties.

That Council adopt the recommendation contained in Item SF-23-26.

Affirmative (4): Councillor Chapman, Councillor Giberson, Councillor Gray, and Councillor Kerr

Negative (5): Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Absent (2): Mayor Carter, and Councillor Marks

Motion Lost (4 to 5)

Moved by Councillor Nicholson

Seconded by Councillor Marimpietri

Whereas long grass and weeds can contribute to health issues and impacts on community image; and,

Whereas the City of Oshawa's ("the City") Lot Maintenance By-law 127-2007 and, as amended regulates every property owner to maintain their land; and,

Whereas the current standard for long grass or weeds is not to exceed a height of 20 centimetres (8 inches); and

Whereas in response to numerous complaints received from the public; and,

Whereas staff have been undertaking an education-focused enforcement approach by issuing warnings or revisiting properties in hopes that the combination of warning, education, communication, and A.M.P.s, where necessary, would promote compliance; and,

Whereas there is a concern that the continued education and issuance of warnings related to the long grass and weeds is not efficient as it adds costs to the City and, in some cases, may not deter repeat offenders; and

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

Therefore be it resolved:

1. That staff be directed to discontinue the education-focused enforcement approach and instead adopt a penalties-based enforcement approach for property owners in violation

of Sections 4.1(c) and or 4.6 (b) of the Lot Maintenance By-law 127-2007 as amended; and,

2. That property owners in violation of the Lot Maintenance By-law will continue to be responsible for all other applicable fees and charges, as established by General Fees and Charges By-law 13-2003, as amended; and,
3. That staff be directed to continue the robust annual communications and advertising strategy with a focus on educating property owners about their responsibilities and applicable penalties.

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

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (9 to 0)

### **SF-23-25 - Accessible Wheel Chair Swings (All Wards)**

Consent Motion:

That staff investigate the inclusion of Wheel Chair Accessible Swings similar to that provided by the City of Burlington to Lakeview Park and all new community level parks within the City of Oshawa.

The vote to adopt the recommendation contained in Item SF-23-25.

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

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (9 to 0)

### **CNCL-23-66 - Appointment of Deputy Treasurer (All Wards)**

Consent Motion:

Whereas a municipality may appoint one or more Deputy Treasurers who shall have all the powers and duties of the Treasurer; and,

Whereas a Deputy Treasurer should be appointed to fulfil the duties of the Treasurer during absences to ensure that both the legislative requirements of the Treasurer are fulfilled and the City's administrative and reporting responsibilities are carried out without interruption;

Therefore be it resolved that Jay Martin be appointed as a Deputy Treasurer for the Corporation of the City of Oshawa.

The vote to adopt the recommendation contained in Item CNCL-23-66 and pass By-law 86-2023

Motion Carried

## **CNCL-23-69 - Canada Mortgage and Housing Corporation's Housing Accelerator Fund (All Wards)**

### **Consent Motion:**

1. That, pursuant to Report CNCL-23-69 dated June 21, 2023, the Chief Administrative Officer and/or their delegate be authorized to submit an application to the Canada Mortgage and Housing Corporation's Housing Accelerator Fund under the Large/Urban stream generally in accordance with said Report, along with any additional documentation as may be required; and,
2. That, pursuant to Report CNCL-23-69 dated June 21, 2023, in order to pre-position the City such that it may take advantage of the potential funding being offered under the Canada Mortgage and Housing Corporation's Housing Accelerator Fund, City Council approve in principle the list of potential City initiatives to include in the City's Action Plan, as generally contained in Attachment 2 of said Report, as a requirement of the City's application to the Fund under the Large/Urban stream; and,
3. That, pursuant to Report CNCL-23-69 dated June 21, 2023, the Chief Administrative Officer and/or their delegate be authorized to make changes as required and at their discretion to said list of City initiatives prior to the City's submission, where considered appropriate at their discretion; and,
4. That, pursuant to Report CNCL-23-69 dated June 21, 2023, City Council authorize the Chief Administrative Officer and/or their delegate to enter into any necessary agreements that may be required should the City of Oshawa be approved for funding under the Canada Mortgage and Housing Corporation's Housing Accelerator Fund program; and,
5. That City Council direct the Commissioner, Economic and Development Services Department to report back and provide an update to the Economic and Development Services Committee and Council in the event the City is selected to participate in the Canada Mortgage and Housing Corporation's Housing Accelerator Fund program; and,
6. That staff be authorized to forward a copy of Report CNCL-23-69 dated June 21, 2023 to the Region of Durham.

The vote to adopt the recommendation contained in Item CNCL-23-69.

Motion Carried

## **CNCL-23-70 - Additional Funding - C2023-034 Ritson Road North and Columbus Road East Roundabout Design (Ward 1)**

### **Consent Motion:**

Whereas, Council approved Project #21-73-0486 Ritson/Columbus Roundabout Design in the amount of \$250,000 including non-rebateable H.S.T.; and,

Whereas, Procurement issued a Request for Proposal (R.F.P.) C2023-034 Ritson Road North & Columbus Road East (Roundabout) Design; and,

Whereas, four (4) bids were received and opened by Procurement on May 2, 2023 with all bids being substantially over-budget; and,

Whereas, pricing is higher than typical roundabout designs as this project includes extensive grading and geotechnical investigation, multiple structure evaluations and designs, all existing utilities relocated, multiple contract preparations, Oshawa Creek work and protection; and,

Whereas, Corporate & Finance Services Committee on June 5, 2023 directed staff to consult with the current lower bidders and to determine funding source and timing for CF-23-48 Ritson Road North & Columbus Road East Roundabout Design; and,

Whereas, upon high level review of the submissions for bid compliance, the low bid was deemed non-compliant with the requirements of the Request for Proposal and Purchasing By-law; and,

Whereas, the City has a duty of fairness to all bidders which requires a full evaluation of submitted compliant bids to determine the highest ranked proponent; and,

Whereas, bids are irrevocable for 120 days; and,

Whereas, the evaluation team will complete a full evaluation and ranking of the submitted proposals and remit the highest ranked bid for the Chief Administrative Officer to award; and,

Whereas, design services only will range from \$750,000 to \$1,406,000 and doesn't include construction administration & inspection; and,

Whereas, a contingency amount of \$400,000 is required to cover the testing requirement to meet soil regulations and for a subsurface utility exploration; and,

Whereas, construction administration & inspection will be budgeted for in future years; and,

Therefore, be it resolved that pursuant to Report CNCL-23-70:

1. That the additional funding not to exceed \$1,556,000 be funded from the Transportation Roads DC reserve and the Growth Related non-DC reserve be approved; and,
2. That the Chief Administrative Officer be authorized to award a contract to the highest ranked bidder in the amount not to exceed of \$1,556,000 excluding H.S.T. for C2023-034 Ritson Road North & Columbus Road East (Roundabout) Design.

The vote to adopt the recommendation contained in Item CNCL-23-70.

Motion Carried

### **Items Pulled from the Information Package**

#### **CNCL-23-73 - Correspondence submitted by Paul Weidemann concerning the Residential Rental Housing Licensing (RRHL) Program (INFO-23-126) (All Wards)**

Councillor Gray declared a conflict on this item. (He and his spouse own a legal 2-unit dwelling which could be subject to changes in regulation by the City of Oshawa and did not take part in discussion or voting on the matter.)



Moved by Councillor Giberson  
Seconded by Councillor Marimpietri

That CNCL-23-74 being correspondence submitted by Paul Weidemann concerning the Residential Rental Housing Licensing (RRHL) Program be referred to the Residential Rental Housing Licensing Report.

Affirmative (8): Councillor Chapman, Councillor Giberson, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Conflict (1): Councillor Gray

Absent (2): Mayor Carter, and Councillor Marks

Motion Carried (8 to 0)

## **Recess**

Moved by Councillor Gray  
Seconded by Councillor Marimpietri

That the meeting recess for one hour.

Motion Carried

The meeting recessed at 1:08 p.m. and reconvened at 2:16 p.m. with all members of council participating in the chamber with the exception of Councillor Marks who was absent.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk; the Chief Administrative Officer; the Commissioner, Corporate and Finance Services Department; the Commissioner, Community and Operations Department; the Commissioner, Economic and Development Services Department, and the City Solicitor.

Mayor Carter resumed the Chair.

Moved by Councillor Nicholson  
Seconded by Councillor McConkey

That the Item ED-23-127 and delegations be held in open session.

Affirmative (4): Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (6): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, and Councillor Lee

Absent (1): Councillor Marks

Motion Lost (4 to 6)

## **Closed Consent Agenda**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated June 26, 2023 be adopted as recommended except the following:

Items ED-23-116 and ED-23-127 of the Fifteenth Report of the Economic and Development Services Committee; and,

Report CNCL-23-67.

Motion Carried

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess and reconvene in a session closed to the public pursuant to 239(2)(c)(e) and (f) of the Municipal Act concerning proposed or pending acquisition or disposition of land regarding Item ED-23-116 request to purchase or lease a portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, west of Hillcrest Drive, proposed litigation or potential litigation regarding Item ED-23-127 update on the appeal of the Notice of Intention to Designate 195 Simcoe Street North and to hear related delegations; and, advice that is subject to solicitor-client privilege regarding Report CNCL-23-67 Canadian Flight Academy - Status Update.

A request was made to vote on Item ED-23-127 separately.

The vote to discuss Item ED-23-116 and Report CNCL-23-67 in closed session.

Motion Carried

The vote to discuss Item ED-23-127 in closed session.

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

Negative (1): Councillor Nicholson

Absent (1): Councillor Marks

Motion Carried (9 to 1)

### **Correspondence with recommendations**

#### **CNCL-23-74 - Claire Miller, 30 Forensic Engineering Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-74 from Claire Miller, 30 Forensic Engineering submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-76 - Donald Finlayson, Finlayson Construction Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-76 from Donald Finlayson, Finlayson Construction submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-77 - Juan Alberto Verá, The Contractors Group Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-77 from Juan Alberto Verá, The Contractors Group submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-79 - Shanta Chhangur Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-79 from Shanta Chhangur submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-80 - Margo McNab Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-80 from Margo McNab submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-86 - Dean Hickey Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-86 from Dean Hickey submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-87 - I. George Lysyk Submitting Correspondence concerning Item ED-23-116 (Ward 5)**

That Correspondence CNCL-23-87 from I. George Lysyk submitting comments concerning Item ED-23-116 regarding a request to purchase or lease a portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, west of Hillcrest Drive be referred to the respective item.

**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-23-115 - Disposal Strategy: City-owned Land at 110 to 112 William Street (Ward 4)**

That, pursuant to Closed Report ED-23-115 dated May 31, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for the City-owned land located at the northeast corner of Kaiser Crescent and William Street West and known municipally as 110 to 112 William Street West, that was declared surplus to municipal requirements by City Council on April 14, 2016.

### **Report of the Safety and Facilities Services Committee**

None

### **Other Staff Reports and Motions**

See Matters Excluded from Consent Agenda

### **Correspondence with recommendations**

#### **CNCL-23-74 - Claire Miller, 30 Forensic Engineering Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-74 from Claire Miller, 30 Forensic Engineering submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

#### **CNCL-23-76 - Donald Finlayson, Finlayson Construction Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-76 from Donald Finlayson, Finlayson Construction submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

#### **CNCL-23-77 - Juan Alberto Verá, The Contractors Group Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-77 from Juan Alberto Verá, The Contractors Group submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

#### **CNCL-23-79 - Shanta Chhangur Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-79 from Shanta Chhangur submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

#### **CNCL-23-80 - Margo McNab Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-80 from Margo McNab submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

#### **CNCL-23-86 - Dean Hickey Submitting Correspondence concerning Item ED-23-127 (Ward 4)**

That Correspondence CNCL-23-86 from Dean Hickey submitting comments concerning Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North be referred to the respective item.

**CNCL-23-87 - I. George Lysyk Submitting Correspondence concerning Item ED-23-116 (Ward 5)**

That Correspondence CNCL-23-87 from I. George Lysyk submitting comments concerning Item ED-23-116 regarding a request to purchase or lease a portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, west of Hillcrest Drive be referred to the respective item.

**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-23-115 - Disposal Strategy: City-owned Land at 110 to 112 William Street (Ward 4)**

That, pursuant to Closed Report ED-23-115 dated May 31, 2023, staff be authorized to execute the disposal strategy outlined in Section 5.3 of said Closed Report for the City-owned land located at the northeast corner of Kaiser Crescent and William Street West and known municipally as 110 to 112 William Street West, that was declared surplus to municipal requirements by City Council on April 14, 2016.

**Report of the Safety and Facilities Services Committee**

None

**Other Staff Reports and Motions**

See Matters Excluded from Consent Agenda

**Closed Discussion Agenda**

**Closed Delegations**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess for five minutes.

Motion Carried

The meeting recessed at 2:16 p.m. and reconvened at 2:28 p.m. in a session closed to the public with all members of Council in attendance except Councillor Marks.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk; the Chief Administrative Officer, the Commissioner, Corporate and Finance Services Department; the Commissioner, Community and Operations Services Department; the Commissioner, Economic and Development Services Department; the City Solicitor; the Director, Planning Services; the Manager, Policy; the Manager, Development and Urban Design; the Senior Planner, Connor Lehebauer; and, the Lawyer, Melanie Mayhew-Hammond.

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

**Gagan Hajatri, StijlTree Architectural Designers - Closed Item ED-23-127**

Gagan Hajatri, StijlTree Architectural Designers addressed City Council concerning Closed Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North.

Members of Council questioned Gagan Hajatri.

**Shanta Chhangur - Closed Item ED-23-127**

Shanta Chhangur addressed City Council concerning Closed Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North.

Members of Council questioned Shanta Chhangur.

**Donald Finlayson, Finlayson Construction - Closed Item ED-23-127**

Donald Finlayson, Finlayson Construction addressed City Council concerning Closed Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North.

Members of Council questioned Donald Finlayson.

**Juan Alberto Verá, The Contractors Group - Closed Item ED-23-127**

Juan Alberto Verá, The Contractors Group was not in attendance and did not address Council.

**Sherland Chhangur - Closed Item ED-23-127**

Sherland Chhangur addressed City Council concerning Closed Item ED-23-127 regarding an update on the Appeal of the Notice of Intention to Delegate 195 Simcoe Street North.

Members of Council questioned Sherland Chhangur.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council rise from Closed session at 3:54 p.m.

**Closed Meeting Report 1**

Council heard the delegations regarding Closed Item ED-23-127 concerning an Update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North.

The Commissioner of Economic and Development Services responded to questions from Council concerning Item ED-23-116.

This concludes the closed meeting summary.

Motion Carried

### **Matters Excluded from Consent Agenda**

#### **ED-23-116 - Request to Purchase or Lease a portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, west of Hillcrest Drive (Ward 5)**

Consent Motion:

1. That, pursuant to Closed Report ED-23-116 dated May 31, 2023, that portion of the City-owned land at Chopin Park, municipally known as 595 Montgomery Street, proposed to be developed for a parking lot in association with the apartment buildings at 600 and 602 Hillcrest Drive, as shown in Attachments 1 and 2 to said Report, be declared potentially surplus to municipal requirements for the purposes of obtaining public input on the matter; and,
2. That, staff undertake an appropriate circulation [i.e. within 120 metres (394 ft.) of Chopin Park] of the declaration for public input including placing an ad in the local newspaper inviting the public to provide comments on the fact that the Requested Land has been declared as potentially surplus.

Negative (10): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Absent (1): Councillor Marks

Motion Lost (0 to 10)

Moved by Councillor Chapman

Seconded by Councillor Gray

1. That pursuant to Closed Report ED-23-116 dated May 31, 2023, the Commissioner of Economic and Development Services be directed to enter into negotiations with George (Ihor) Lysyk for a lease agreement for certain City-owned land, as shown in Attachments 1 and 2 to said Report; and,
2. That staff be directed to report back to the Economic and Development Services Committee with recommended key terms for the abovementioned lease agreement, by no later than September 11, 2023.

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor McConkey, and Councillor Nicholson

Negative (2): Councillor Marimpietri, and Councillor Neal

Absent (1): Councillor Marks

Motion Carried (8 to 2)

**ED-23-127 - Update on the Appeal of the Notice of Intention to Designate 195 Simcoe Street North (Ward 4)**

Moved by Councillor Nicholson

1. That, pursuant to Report ED-23-127 dated May 31, 2023, Council does not consent to the application for a demolition permit under Section 34 of the Ontario Heritage Act submitted by Nantuck Investments Inc. for 195 Simcoe Street North; and,
2. That, pursuant to Report ED-23-127 dated May 31, 2023, Council does not consent to the consolidation of the hearing under Section 34 of the Ontario Heritage Act with the hearing regarding the Notice of Intention to Designate 195 Simcoe Street North; and,
3. That, pursuant to Report ED-23-127 dated May 31, 2023, staff be authorized to attend an Ontario Land Tribunal hearing or hearings, as may be necessary, in support of Council's position; and,
4. That, upon the conclusion of the Ontario Land Tribunal hearing or hearings, City staff report back to the Economic and Development Services Committee and Council with the Ontario Land Tribunal's recommendation concerning the potential designation of 195 Simcoe Street North and decision regarding the application under Section 34 of the Ontario Heritage Act for a demolition permit to demolish 195 Simcoe Street North.

Affirmative (8): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (2): Councillor Giberson, and Councillor Kerr

Absent (1): Councillor Marks

Motion Carried (8 to 2)

**CNCL-23-67 - Canadian Flight Academy - Status Update (Ward 2)**

The vote on Part 1 of the recommendation to reconsider Council's previous decision concerning the Canadian Flight Academy.

Motion Carried

Council's previous decision of October 26, 2020 regarding the potential acquisition of leasehold improvements at the Oshawa Executive Airport was now before Council.

The vote to adopt Council's previous decision of October 26, 2020 concerning the Canadian Flight Academy.



Negative (10): Mayor Carter, Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Absent (1): Councillor Marks

Motion Lost (0 to 10)

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess for ten minutes.

Motion Carried

The meeting recessed at 4:04 p.m. and reconvened in a session closed to the public at 4:18 p.m. with all members of Council in attendance except Councillor Marks.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk; the Chief Administrative Officer, the Commissioner, Corporate and Finance Services Department; the Commissioner, Community and Operations Services Department; the Commissioner, Economic and Development Services Department; the City Solicitor; the Director, Planning Services; the Manager, Policy; and, the Manager, Development and Urban Design.

Closed meeting discussions were held.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That Council rise from closed session and report.

Motion Carried

## **Closed Meeting Report 2**

Council rose from closed session at 4:27 p.m.

Closed meeting discussions were held.

This concludes the closed meeting report.

Report CNCL-23-67 concerning Canadian Flight Academy - Status Update was now before Council.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

The vote to adopt Parts 2 to 6 of Report CNCL-23-67 concerning Canadian Flight Academy - Status Update.

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

Absent (1): Councillor Marks

Motion Carried (10 to 0)

### **Items Requiring Council Direction**

#### **CNCL-23-62 - Potential Appeal to the Ontario Land Tribunal of a Committee of Adjustment Decision (Ward 1)**

That City Council select an appropriate option as set out in Section 5.2 of Closed Report CNCL-23-62 dated June 21, 2023.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That pursuant to Report CNCL-23-62 Council select Option 1.

Motion Carried

The meeting recessed at 4:35 p.m. and reconvened in a session closed to the public at 4:37 p.m. with all members of Council in attendance except Councillor Marks.

Also in attendance were the Director, Legislative Services/City Clerk; the Manager, Legislative Services/Deputy City Clerk; the Chief Administrative Officer; and, the Commissioner, Corporate and Finance Services Department.

All other staff left the meeting.

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the meeting recess and reconvene in a session closed to the public pursuant to 239(2)(b) of the Municipal Act concerning personal matters about an identifiable individual regarding Report CNCL-23-65 being a verbal report from Tracy Adams, Chief Administrative Officer regarding staffing matters.

Motion Carried

#### **CNCL-23-65 - Tracy Adams, Chief Administrative Officer to provide a verbal update regarding staffing matters (All Wards)**

The Chief Administrative Office provided a verbal report regarding staffing matters.

Part 1

Moved by Councillor Nicholson  
Seconded by Councillor Marimpietri

That staff proceed as directed regarding the staffing update.

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

Absent (1): Councillor Marks

Motion Carried (10 to 0)

## Part 2

Moved by Councillor Gray

Seconded by Councillor Nicholson

That staff proceed as directed.

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

Absent (1): Councillor Marks

Motion Carried (10 to 0)

Moved by Councillor Chapman

Seconded by Councillor Giberson

That Council rise from closed session and report.

Motion Carried

## **Closed Meeting Report 3**

Council rose from closed session at 4:49 p.m.

Closed meeting discussions were held.

The Chief Administrative Officer responded to questions from Council.

The Commissioner, Corporate and Finance Services Department responded to questions from Council.

Two motions providing direction were moved and voted on in closed session.

This concludes the closed meeting report.

## **Matters Tabled**

None

## **Notices of Motion**

**CNCL-23-68 - Notice of Motion - Resolution regarding the Review of Operations and Future of the Region of Durham (All Wards)**

Moved by Councillor Nicholson  
Seconded by Councillor Lee

Whereas the Province of Ontario has indicated that it will be assigning provincial representatives to review the operations and future of the Regional Municipality of Durham; and,

Whereas this review may lead to the dissolution of the Region of Durham or the amalgamation of the current member municipalities into a new City of Durham, and that either option could have detrimental impacts of services to the residents of Oshawa and Durham; and,

Whereas similar plans imposed by the Province in communities such as the City of Toronto, have lead to increased costs and taxation levels; and,

Whereas these actions have not been requested by the Region of Durham, the City of Oshawa, and our fellow member municipalities in Durham;

Be it resolved:

1. That the City of Oshawa does not support alteration to the operations and composition of the Region of Durham without the consent by the member municipalities of the Region of Durham and only with the consent of the Council of the Region of Durham as a whole; and,
2. That the City of Oshawa does not support any actions that would impact the boundaries or status of the City of Oshawa without the consent of the Council of the City of Oshawa following a public consultation with the residents of the City of Oshawa including a formal referendum voted on by the residents of Oshawa prior to any decision; and,
3. That as the residents of the City of Oshawa have not consented to changes in either tier of municipal government, the City of Oshawa supports the current boundaries and composition of the Region of Durham and of the City of Oshawa; and,
4. That copies of this resolution be forwarded to the Region of Durham, all members municipalities and school boards located in Durham Region, to all MPs and MPPs based in the Region of Durham, to the Premier and Opposition Leaders of the Province of Ontario, to the Minister of Municipal Affairs and Housing to the Association of Municipalities of Ontario and to any other bodies deemed by Oshawa staff.

A request was made to vote on each part separately.

The vote to adopt Part 1.

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

Negative (6): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor McConkey, and Councillor Neal

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Lost (3 to 6)

The vote to adopt Part 2.

Affirmative (6): Mayor Carter, Councillor Giberson, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

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

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Carried (6 to 3)

The vote to adopt Part 3.

Affirmative (3): Mayor Carter, Councillor Giberson, and Councillor Nicholson

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

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Lost (3 to 6)

The vote to adopt Part 4.

Affirmative (8): Mayor Carter, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (1): Councillor Chapman

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Carried (8 to 1)

### **CNCL-23-75 - Notice of Motion - Seniors Recreation Fees (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.)

Moved by Councillor Nicholson

Seconded by Councillor McConkey

Whereas as currently our Senior Centres recognize age 55 as the age which designates being a senior; and,

Whereas the Recreation fees for seniors in Oshawa only come into effect after age 65; and,

Whereas other communities in Durham recognize age 55 in their recreation fees; and,

Whereas we wish to promote more seniors to use our recreation facilities and programs;

Be it resolved:

1. That the City of Oshawa amend its recreation and other programming fee structures to reflect a seniors fee starting at age 55; and,

2. That we use our social media pages, the city web page and contacts with seniors organizations and contacts to educate seniors on this new fee structure.

**Amendment:**

Moved by Councillor Gray

Seconded by Councillor Chapman

That the motion concerning Seniors Recreation Fees be referred to the 2024 budget.

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

Negative (2): Councillor McConkey, and Councillor Nicholson

Conflict (1): Councillor Neal

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Carried (6 to 2)

**CNCL-23-78 - Notice of Motion - Dust and Mud Control By-law (All Wards)**

Moved by Councillor McConkey

Seconded by Councillor Lee

That staff investigate the Dust and Mud Control By-law to ensure there is a prominent section to ensure the City and various developers involved in Part II Plans have a signed comprehensive strategy plan in place for dust and mud control enforcement.

Affirmative (7): Mayor Carter, Councillor Giberson, Councillor Gray, Councillor Lee, Councillor McConkey, Councillor Neal, and Councillor Nicholson

Negative (2): Councillor Chapman, and Councillor Kerr

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Carried (7 to 2)

**CNCL-23-72 - Notice of Motion - Development Charges (All Wards)**

Moved by Councillor Nicholson

Seconded by Councillor Neal

Whereas the City of Oshawa collects Development Charges pursuant to By-law 60-2019, as amended, to provide capital funding for projects resulting from growth; and,

Whereas By-law 60-2019 came in effect in 2019; and,

Whereas the provisions of Bill 23 permit the extension of the By-law out to a ten year cycle; and,

Whereas the cost estimates for the City's capital program have escalated significantly as a result of high inflation;

Therefore staff be directed to commence the process to update the Development Charge Background Study and By-law targeting an implementation date of July 1, 2024 to increase the funding support to meet the City's capital requirements.

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

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Carried (9 to 0)

**CNCL-23-83 - Notice of Motion - Council-appointed Position on the Oshawa Sports Hall of Fame Board of Governors (All Wards)**

That Staff be directed to report back on the creation of a Council-appointed position on the Oshawa Sports Hall of Fame Board of Governors.

Notice was not moved. Will be placed on the next Council meeting Agenda.

**CNCL-23-84 - Notice of Motion - Grass Cutting by City Staff on Unassumed Roads (All Wards)**

Moved by Councillor McConkey

Seconded by Councillor Kerr

Whereas the city picks up waste and clears snow on unassumed roads, but does not cut boulevards and court circles; and,

Whereas there are Oshawans living on unassumed roads in subdivisions for five plus years that have repeatedly called when the boulevard and court circle grass and weeds are so high the fire hydrants are not visible;

Now therefore, staff investigate the current process and the benefit of the cutting of grass on unassumed roads and being reimbursed by the developer.

**Amendment:**

Moved by Councillor Chapman

Seconded by Councillor Giberson

That the motion concerning grass cutting on unassumed roads be referred to the Economic and Development Services Department Committee.

Motion Carried

**CNCL-23-85 - Notice of Motion - Publishing PowerPoint Presentations on the City of Oshawa Website (All Wards)**

Moved by Councillor McConkey

Seconded by Councillor Giberson

That Council reconsider its previous decision concerning uploading PowerPoint Presentations to the City of Oshawa Website.

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

Negative (6): Mayor Carter, Councillor Chapman, Councillor Gray, Councillor Kerr, Councillor Lee, and Councillor Nicholson

Absent (2): Councillor Marimpietri, and Councillor Marks

Motion Lost (3 to 6)

### **Confirming By-Law**

Moved by Councillor Chapman  
Seconded by Councillor Giberson

That the Confirming By-law be passed.

Motion Carried

### **Adjournment**

Moved by Councillor Kerr  
Seconded by Councillor Giberson

That the meeting adjourn at 5:42 p.m.

Motion Carried

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Mayor

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City Clerk