



**Oshawa City Council
Minutes**

**January 29, 2024, 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

The Deputy Mayor called the meeting to order and stated that all members of Council were participating from the Chamber except Mayor Carter who was absent. (Councillor Nicholson left the meeting at 9:47 a.m.)

National Anthem

Moment of Silence

A moment of silence was held for all community leaders, staff and family members that have passed away over the previous year.

Land Acknowledgement

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

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

We recognize that Oshawa is steeped in rich Indigenous history and is now present day home to many First Nations, Inuit and Métis people. We express gratitude for this diverse group of Indigenous Peoples who continue to care for the land and shape and strengthen our community.

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

We are all Treaty people.

Council Member Announcements

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That Correspondence CNCL-24-10 from Jane Clark submitting comments concerning Item ED-24-05 and Correspondence CNCL-24-11 from Dave Briggs submitting comments concerning Item CO-24-04 be added to the agenda for the meeting of January 29, 2024 and be referred to the respective items.

Motion Carried

Declarations of Pecuniary Interest

Councillor Neal - ED-24-08 - Revised Applications to Amend the Taunton Part II Plan and Zoning By-law 60-94, east of Harmony Road North, south of Greenhill Avenue, Silwell Developments Ltd and 1229403 Ontario Ltd. (Ward 1)

Councillor Neal made a declaration of interest concerning Item ED-24-08 and related By-laws 13-2024 and 14-2024 regarding revised applications to amend the Taunton Part II Plan and Zoning By-law 60-94, east of Harmony Road North, south of Greenhill Avenue as a member of his family has a contract with the Durham District Separate School Board and did not take part in discussion or voting on the matter.

Presentations

The Oshawa Sports Hall of Fame - 2024 Inductees

Adrian Vanhemmen, Chair, Board of Governors and Leanne Wilson, Director, Selection Committee, Oshawa Sports Hall of Fame introduced the Hall of Fame inductees for 2024.

Councillor Nicholson left the meeting at 9:47 a.m.

Sloane's House - Future Pediatric Hospice and Respite Centre

Audrey Andrews and Katie Cronin-Wood, Sloane's House provided a presentation concerning the progress of a future Pediatric Hospice and Respite Centre in Durham Region.

Members of Council questioned Audrey Andrews and Katie Cronin-Wood, Sloane's House.

Autism Home Base - Progress and Goals

Judy Hanson, Autism Home Base provided an update concerning the progress and goals of Autism Home Base.

Members of Council questioned Judy Hanson, Autism Home Base.

Councillor Marimpietri temporarily left the meeting at 10:48 a.m.

Delegations

None

Items requiring Council Direction

None

Councillor Marimpietri reentered the meeting at 10:53 a.m.

Public Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Lee

That all items listed under the heading of Public Consent Agenda for the City Council Meeting dated January 29, 2024 be adopted as recommended except the following:

Items CO-24-05 and CS-21-105 from the Twelfth Report of the Community and Operations Services Committee; and,

Items ED-24-04 and ED-24-08 and related By-laws 13-2024 and 14-2024 from the Twenty-third Report of the Economic and Development Services Committee; and,

Items CO-24-03 and CO-24-04 from the First Report of the Joint Community and Operations Services and Safety and Facilities Services Committees; and,

Report CNCL-24-02 and related By-laws 17-2024 and 18-2024; and,

By-laws 10-2024, 11-2024 and 12-2024.

Motion Carried

Councillor Marks temporarily left the meeting at 10:56 a.m.

Adoption of Council Minutes

That the minutes of the City Council meetings held on December 1 and December 11, 2023 be adopted.

Correspondence with Recommendations

CNCL-24-07 - Janetta and Darren Stewart Submitting Correspondence concerning Item CO-24-04 (All Wards)

That Correspondence CNCL-24-07 from Janetta and Darren Stewart submitting correspondence in opposition to amending Traffic By-law 79-99, as amended to allow parking on boulevards be referred to Item CO-24-04.

CNCL-24-09 - Soori Tham Submitting Correspondence concerning Item ED-24-08 (Ward 1)

That Correspondence CNCL-24-09 from Soori Tham submitting correspondence concerning Item ED-24-08 regarding revised applications to amend the Taunton Part II Plan and Zoning By-law 60-94, east of Harmony Road North, south of Greenhill Avenue be referred to Item ED-24-08.

Standing Committee Reports

Report of the Community and Operations Services Committee

CO-24-01 - Investigation into the Proposals to Amend City By-Laws to Include Noxious Weeds and Invasive Species (All Wards)

That based on Report CO-24-01 dated January 10, 2024 concerning noxious weeds and invasive species:

1. That Council pass a by-law to amend Lot Maintenance By-law 127-2007, as amended, to address noxious weeds as listed under the Weed Control Act, 1990 as outlined in Attachment 3 to this Report and in a form and content acceptable to Legal Services and the Commissioner, Community and Operations Services; and,
2. That staff develop a public awareness campaign specific to the invasive nature of common garden plants and proper disposal methods.

CO-24-02 - Response to Report CS-21-75 dated June 14, 2021 (Ward 2)

That based on Report CO-24-02 the Community and Operations Services Committee recommend to City Council:

Whereas at its meeting of June 21, 2021, City Council referred Report CS-21-75 concerning cycling network maintenance issues for staff to review; and,

Whereas staff assessed observed safety concerns and recommendations proposed in Report CS-21-75 against City standards and the Ontario Traffic Manual; and,

Whereas Project 52-0049 - Airport Trail Safety Modifications was considered by Council as part of the 2023 Capital Budget to address safety concerns for an estimated cost of \$800,000; and,

Whereas in accordance with CNCL-23-07, "2023 Proposed Capital Budget Addendum", Council approved \$200,000 as part of the 2023 Capital budget and a reduced scope of work for Project 52-0049 to implement risk mitigation measures including increased levels of service, specifically providing diligent year-round operations and maintenance, in addition to the implementation of recommended interim safety measures; and,

Whereas implementation of interim and permanent risk mitigation measures, including those approved as part of CNCL-23-07, are expected to be complete by February 2, 2024;

Therefore, be it resolved, that Report CO-24-02 dated January 10, 2024 concerning cycling network maintenance issues, be received for information.

CO-24-06 - Snow and Ice Clearing from Trails (All Wards)

That based on Item CO-24-06, staff be directed to investigate the clearing of snow and ice from trails included in new or redesigned neighbourhood parks.

Report of the Corporate and Finance Services Committee

CF-24-01 - Single Source - Redundant NG-911 Communication System (All Wards)

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

Whereas the City has received a provincial grant in the amount of \$2,925,794 to aid in the transition to NG-911 that must be expended by March 31, 2024; and,

Whereas the NG-911 communications system requires a redundant system in another location for continuity of service in the event of interruption at the primary site; and,

Whereas it is a shortened time frame for supply, delivery and installation of equipment and services; and,

Whereas Netagen has existing experience with the City's communication systems, is providing a fully managed instance of the primary NG-911 communication system and has performed similar services for other municipal and provincial agencies;

Therefore, be it resolved that pursuant to Report CF-24-01, Council authorize the Manager, Procurement to award a single source contract to Netagen not to exceed the amount of \$750,000, including non-rebateable H.S.T. for Redundant NG-911 Communication System.

CF-24-02 - Contract Award - C2023-095 Rotary Park and Pool Redevelopment (Ward 4)

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

Whereas through Reports CS-21-36 and CS-21-94 Council approved \$8,221,663, inclusive of non-rebateable H.S.T., and the 2024 Capital Budget approved project 51-0116 in the amount of \$3,000,000, inclusive of non-rebateable H.S.T.; and,

Whereas \$1,418,587 has already been committed to the project for consulting services and the demolition of previous pool; and,

Whereas Procurement issued C2023-079 Pre-Qualification for Rotary Park and Pool Redevelopment and three suppliers were pre-qualified, Chandos Construction LP, Maystar General Contractors Inc., and Percon Construction Inc.; and,

Whereas Procurement issued a Request for Tender (R.F.T.) C2023-095 Rotary Park and Pool Redevelopment; 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 November 20, 2023; and,

Whereas the bid received from Maystar General Contractors Inc., in the amount of \$18,800,000 excluding H.S.T. (\$19,130,880 including non-rebateable H.S.T.), is the lowest bidder and meets the requirements of the tenders; and,

Whereas the low bid from Maystar General Contractor Inc., is over-budget; and,

Whereas the award will be phased, with the first phase being awarded in 2024 and the second phase being awarded upon approval of the 2025 Capital Budget for Rotary Park Redevelopment;

Therefore, be it resolved that pursuant to Item CF-24-02:

1. That the Manager, Procurement be authorized to award a contract to Maystar General Contractors Inc. in the amount of \$9,633,526 excluding H.S.T. for C2023-095 Rotary Park and Pool Redevelopment; and,
2. That the Manager, Procurement be authorized to award the balance of the contract to Maystar General Contractors subject to the 2025 Rotary Park Redevelopment Project Capital Budget approval.

CF-24-03 - C2023-097 Stormwater Management Facility Cleaning - Additional Funding (Ward 3)

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

Whereas in 2023 Council approved Project 54-0005 in the amount of \$325,000 inclusive of H.S.T., for Storm Water Management Pond Cleaning; and,

Whereas Procurement issued a Request for Tender (R.F.T.) C2023-097 Stormwater Management Facility Cleaning; and,

Whereas eleven (11) bids were received (publically posted on the City's website at Oshawa's Bids and Tenders) and opened by Procurement on October 31, 2023; and,

Whereas the two (2) low bids were deemed non-complaint with the requirements of the tender and Purchasing By-law; and,

Whereas the bid received from Strong Bros. General Contracting Ltd. in the amount of \$438,000 (\$445,709 including non-rebateable H.S.T.), is the lowest compliant bidder and meets the requirements of the tender; and,

Whereas there has been a total of \$16,099 committed to date for soil sampling and surveys; and,

Whereas there is a funding shortfall of \$136,808, including non-rebateable H.S.T.; and,

Whereas the additional cost of \$136,808 can be funded from the Subdividers Fixed Charges – Future Services Reserve Fund from the portion collected for the Stormwater Pond Maintenance Fees;

Therefore, be it resolved that pursuant to Item CF-24-03:

1. That the additional funding of \$136,808 to be funded from the Subdividers Fixed Charges – Future Services Reserve Fund be approved; and,

2. That the Manager, Procurement be authorized to award a contract to Strong Bros. General Contracting Ltd. in the amount of \$438,000 excluding H.S.T. for C2023-097 Stormwater Management Facility Cleaning.

Report of the Economic and Development Services Committee

ED-24-01 - New City of Oshawa Street Naming Policy (All Wards)

1. That, pursuant to Report ED-24-01 dated January 3, 2024, the proposed new City of Oshawa Street Naming Policy as outlined in Attachment 1 be approved in principle; and,
2. That a formal Policy document be developed to the satisfaction of the Commissioner, Economic and Development Services Department and Director, Legislative Services/City Clerk.

ED-24-05 - Overland LLP Submitting Notice of Objection to Designate 149 Harmony Road South (Ward 3)

That Correspondence ED-24-05, dated November 30, 2023, from Overland LLP submitting a notice of objection to the intent to designate 149 Harmony Road South be referred to staff for a report

ED-24-06 - Columbus Community Advisory Committee – Selection of Two New Members (Ward 1)

Whereas, on January 28, 2019, pursuant to Report DS-19-04 dated January 9, 2019, Council approved Terms of Reference for the establishment of the Columbus Community Advisory Committee (the “C.C.A.C.”), to provide an additional forum for community input into the Integrated Columbus Part II Planning Act and Municipal Class Environmental Assessment Act Study (the “Study”); and,

Whereas, on January 28, 2019, Council selected five individuals from the Columbus community who expressed an interest in participating as a member of the C.C.A.C.; and,

Whereas, the C.C.A.C. Terms of the Reference directs that the Committee include up to five community members, all of whom must live or own a business in the Study area, and that Oshawa City Council will be responsible for selecting the Committee members; and,

Whereas, on October 2, 2023, City Council considered Report ED-23-117 dated May 31, 2023 relating to the Study and adopted, as part of an amended motion, the following:

“That, pursuant to Report ED-23-117 dated May 31, 2023, the Columbus Community Advisory Committee continue to function until such time as the Part II Plan is in effect, for the purposes of continued community engagement; and,

That, pursuant to Report ED-23-117 dated May 31, 2023, the Columbus Community Advisory Committee meet a minimum of twice a year; and,

That, pursuant to Report ED-23-117 dated May 31, 2023, the Columbus Community Advisory Committee be increased in size from five (5) members to seven (7) members, with the two additional members and any other vacancies to be selected by Council no later than end of the first quarter of 2024”; and,

Whereas, staff have confirmed that all five (5) of the existing C.C.A.C. members are still interested in serving on the C.C.A.C.; and,

Whereas, there are two (2) new vacancies on the C.C.A.C. owing to the above-noted motion adopted by Council on October 2, 2023;

Therefore be it resolved that, pursuant to Item ED-24-06, Applicants 4 and 5 be selected to serve on the Columbus Community Advisory Committee from the five (5) applicants identified in Confidential Attachment 1.

ED-24-09 - Temporary Banner Installation Requests within the Downtown Oshawa Banner Program (Ward 4)

1. That, pursuant to Report ED-24-09 dated January 3, 2024, city staff be directed to implement a procedure generally in accordance with the content that forms Section 5 of this Report in order to support the expansion of the Downtown Oshawa Banner Program; and,
2. That, pursuant to Report ED-24-09 dated January 3, 2024, the City of Oshawa Delegation of Authority By-Law 29-2009, as amended, be amended to delegate authority to the Commissioner, Economic and Development Services or the Director, Business and Economic Development Services, or designate, to approve or deny applications for temporary banners from community groups.

ED-24-11 - Request under the Urban Growth Centre Community Improvement Plan (Ward 4)

That, pursuant to Report ED-24-11 dated January 3, 2024, Crispcorp Ltd. be approved for an Upgrade to Building and Fire Codes Grant in the amount of \$10,000.00 and a Façade and Accessibility Improvements Grant in the amount of \$10,000.00.

ED-24-13 - Durham Meadoway Visioning Study (All Wards)

That pursuant to Item ED-24-13, staff work with the Region of Durham regarding the Durham Meadoway Visioning Study.

Report of the Safety and Facilities Services Committee

SF-24-02 - Notice of Motion - Reporting of Parking Complaints (CNCL-23-119) (All Wards)

Whereas the City is developing a customer service strategy to identify service delivery gaps and look at potential ways to modernize ways to serve the public; and,

Whereas Blackline Consulting has been engaged to help lead the strategy; and,

Whereas the public and Oshawa Council members have found the current required process to report parking complaints by phone causes delays and lost time; and,

Whereas there are benefits to reporting parking by-law non-compliance with the option of permitting a photo email to Service Oshawa;

Now therefore Council recommend to Blackline Consulting and City staff to include a new process option for reporting parking non-compliance with a picture email to Service Oshawa.

SF-24-01 - Technical Amendments to Fence and Sight Triangle By-law 23-2014 and Boulevard By-law 136-2006 (All Wards)

Whereas the Fence and Sight Triangle By-law 23-2014, as amended (“Fence and Sight Triangle By-law”) is a by-law to regulate the height of fences, natural features and objects in certain circumstances within the City of Oshawa (“City”); and,

Whereas the Boulevard By-law 136-2006, as amended (“Boulevard By-law”) is a by-law to regulate the maintenance, occupancy, use of, and other matters pertaining to, those portions of public highways under the jurisdiction of the City known as boulevards; and,

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

Whereas a review has identified an opportunity to implement the following amendments to the Fence and Sight Triangle By-law:

- Increase the clarity of applicable standards by renaming the definition of “Sight Triangle” to “Corner Sight Triangle” as standards for Sight Triangles relate to the Sight Triangle at the corner of a Corner Lot.
- Eliminate sight obstructions within the Driveway Sight Triangle by amending the definition of “Height” to address fences, natural features, etc. on top of retaining walls within the Driveway Sight Triangle to be measured between the finished grade of the driveway and the highest point of the fence, natural feature, thing or object.
- Remove Legal Non-Complying (i.e. “grandfathering”) for fences, natural features, things or objects located within the “Corner Sight Triangle” or “Driveway Sight Triangle” as they pose a risk to health and safety.

Whereas a review has identified an opportunity to implement the following amendments to the Fence and Sight Triangle By-law and the Boulevard By-law:

- Remove the appeal process for remedial work orders to ensure that compliance is achieved in an effective and timely manner, consistent with the enforcement approach in Lot Maintenance By-law 127-2007, as amended;

Therefore be it resolved that based on Item SF-24-01 dated January 10, 2024, Council approve a by-law in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to:

1. Amend Fence and Sight Triangle By-law 23-2014, as amended to increase clarity in reference to corner sight triangles, to address sight obstructions on top of retaining walls located within the driveway sight triangle and to remove references to Legal Non-Complying provisions for fences, natural features, things or objects located within the corner sight triangle or driveway sight triangle to enhance public safety; and,
2. Amend Fence and Sight Triangle By-law 23-2014, as amended and Boulevard By-law 136-2006, as amended to remove the appeals process for remedial work orders to ensure effective and efficient compliance with the respective by-laws.

SF-24-03 - Installation of a Public Water Dispenser at the Tribute Communities Centre (Ward 4)

Whereas there is no public water dispenser at the Tribute Communities Centre (“T.C.C.”) available to the public during Oshawa Generals games and events; and,

Whereas the public is expressing a need to have a drink of water made available when attending Oshawa Generals games and events;

Therefore pursuant to Item SF-24-03, staff investigate the feasibility and practicality of installing a public water dispenser at the T.C.C. and report back with ideal location and cost implications.

Report of the Joint Community and Operations Services and Safety and Facilities Services Committees

See Matters Excluded from Consent Agenda.

Other Staff Reports and Motions

CNCL-24-03 - Oshawa Power Group of Companies Board of Directors' Stipends (Ward 4)

That pursuant to Report CNCL-24-03 dated January 24, 2024:

1. The stipends for Board Directors for representation at Additional Companies in which Oshawa Power has ownership or financial Interests as outlined in Correspondence CF-23-65 be denied; and,
2. The stipends for Oshawa Power Group of Companies Board of Directors as outlined in Correspondence CF-23-66 be approved; and,
3. The Board of Directors of Oshawa Power be requested to perform a market review of the stipends once every five (5) years to ensure the rates remain competitive and in-line with comparable Local Distribution Companies.

CNCL-24-05 - Municipal Comprehensive Review of the Oshawa Official Plan (All Wards)

1. That pursuant to Report CNCL-24-05 dated January 24, 2024, Economic and Development Services staff be authorized to initiate the Municipal Comprehensive Review process to update the Oshawa Official Plan, generally in accordance with Section 5.3 of said Report; and,
2. That, pursuant to Report CNCL-24-05 dated January 24, 2024, a Special Meeting of Council be held in the first or second quarter of 2024 as required under the Planning Act to initiate the Municipal Comprehensive Review process to update the Oshawa Official Plan; and,
3. That Statutory Notice be provided in accordance with the City’s Public Notice Policy GOV-23-02 and the statutory timelines set out in the Planning Act to hear from the public on this matter; and,
4. That staff be authorized to forward a copy of Report CNCL-24-05 dated January 24, 2024 and the related Council resolution to the Region of Durham.

By-Laws

The following By-laws were passed:

13-2024 - A By-law to Adopt Amendment 221 to the Oshawa Official Plan

(Implements direction of January 29, 2024 through Item ED-24-08 of the Twenty-third Report of the Economic and Development Services Committee to permit the lands generally located east of Harmony Road North, south of Greenhill Avenue to be used for Low Density Residential, Medium Density I Residential and Medium Density II Residential uses in the event the lands are not required for a secondary school or another community use.)

14-2024 - A By-law to Amend Zoning By-law 60-94, as amended

(Implements direction of January 29, 2024 through Item ED-24-08 of the Twenty-third Report of the Economic and Development Services Committee to change the zoning for the lands generally located east of Harmony Road North, south of Greenhill Avenue from FD (Future Development) to CIN.T17 “h-91”/R6-B(15) “h-92” (Community Institutional/Residential), CIN.T17 “h-91”/R1-E(39) “h-92”/R3-A(24) “h-92” (Community Institutional/Residential), and OSH (Hazard Lands Open Space) to permit a secondary school and other community uses such as elementary schools, private schools, assembly halls, clubs, children’s shelters, churches and day care centres subject to a special zoning regulation related to permitting increased building height. Single detached dwellings, street townhouses, apartment buildings, long term care facilities, retirement homes and block townhouses would also be permitted as alternative uses subject to special zoning regulations related to minimum front and exterior side yard depths, maximum lot coverage and building heights, and encroachment into the front yard and exterior side yard for unenclosed porches and steps if the subject site is not developed for a secondary school or other community uses.)

15-2024 - A By-law to Establish the Permitting and Regulation of Vacant Buildings and Land Within the City of Oshawa

(Implements Council direction of May 1, 2023 through Item SF-23-17 of the Fifth Report of the Safety and Facilities Services Committee to establish the permitting and regulation of vacant buildings and land within the City of Oshawa.)

16-2024 - A By-law to Amend General Fees and Charges By-law 13-2003, as amended

(Implements Council direction of May 1, 2023 through Item SF-23-17 of the Fifth Report of the Safety and Facilities Services Committee to amend General Fees and Charges By-law 13-2003, as amended, to implement a new fee related to the administration of the Vacant Building and Land Registry By-law.)

17-2024 - A By-law to Establish the Positions and Appointment Processes of Screening Officer and Hearing Officer

(Implements direction of January 29, 2024 through Report CNCL-24-02 to establish the positions and appointment processes of Screening Officer and Hearing Officer and to repeal Hearings Officer By-law 26-2008, as amended.)

18-2024 - A By-law to Amend Parking Administrative Penalty System By-law 24-2011, as amended, and Administrative Penalty Process By-law 63-2013, as amended

(Implements direction of January 29, 2024 through Report CNCL-24-02 to amend the Parking Administrative Penalty System By-law 24-2011, as amended and the Administrative Penalty Process By-law 63-2023, as amended, to remove the appointment process for Screening Officers.)

19-2024 - A By-law to Amend Lot Maintenance By-law 127-2007, as amended

(Implements direction of January 29, 2024 through Item CO-24-01 of the Twelfth Report of the Community and Operations Services Committee to address noxious weeds as listed under the Weed Control Act, R.S.O. 1990, c.W.5.)

Public Discussion Agenda

Matters Excluded from Consent Agenda

CO-24-05 - Installation of a Temporary off Leash Dog Park at Southmead Park (Ward 5)

Consent Motion:

That based on Item CO-24-05, staff be directed to investigate the possibility of installing temporary fencing and signage for a pilot project of a neighborhood level off leash dog park at Southmead Park.

Councillor Marks reentered the meeting at 10:58 a.m.

The vote to adopt the recommendation contained in Item CO-24-05.

Motion Carried

CS-21-105 - Fleet Services Decarbonization Strategy (All Wards)

Consent Motion:

That CS-21-105 - Fleet Services Decarbonization Strategy concerning a request for staff to adopt a vehicle purchasing policy that assumes an electric vehicle purchase as the default choice and move to a fleet replacement policy that sets ambitious targets in fleet electrification and decarbonization be received for information.

Moved by Councillor McConkey
Seconded by Councillor Giberson

That CS-21-105 concerning a Fleet Services Decarbonization Strategy be referred back to staff.

Affirmative (5): Councillor Giberson, Councillor Lee, Councillor Marks, Councillor McConkey, and Councillor Neal

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

Absent (2): Mayor Carter, and Councillor Nicholson

Motion Carried (5 to 4)

ED-24-04 - Policy for Public Meetings with Respect to Applications for Draft Plans of Subdivision (All Wards)

Consent Motion:

1. That, pursuant to Report ED-24-04 dated January 3, 2024, the proposed policy for public meetings with respect to applications for draft plans of subdivision as outlined in Attachment 1 be approved in principle; and,
2. That a formal Policy document be developed to the satisfaction of the Commissioner, Economic and Development Services Department and Director, Legislative Services/City Clerk.

The vote to adopt the recommendation contained in Item ED-24-04.

Affirmative (7): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Lee, Councillor Marimpietri, and Councillor Marks

Negative (2): Councillor McConkey, and Councillor Neal

Absent (2): Mayor Carter, and Councillor Nicholson

Motion Carried (7 to 2)

ED-24-08 - Revised Applications to Amend the Taunton Part II Plan and Zoning By-law 60-94, east of Harmony Road North, south of Greenhill Avenue, Silwell Developments Ltd and 1229403 Ontario Ltd. (Ward 1)

Councillor Neal declared a conflict on this item. (Councillor Neal made a declaration of interest concerning Item ED-24-08 and related By-laws 13-2024 and 14-2024 regarding revised applications to amend the Taunton Part II Plan and Zoning By-law 60-94, east of Harmony Road North, south of Greenhill Avenue as a member of his family has a contract with the Durham District Separate School Board and did not take part in discussion or voting on the matter.)

Consent Motion:

1. That, pursuant to Report ED-24-08 dated January 3, 2024, the revised application submitted by Silwell Developments Ltd. and 1229403 Ontario Ltd. to amend the Taunton Part II Plan (File: B-3100-0174) in order to permit alternate residential land uses in the event that a secondary school is not constructed on lands located south of Greenhill Avenue, between Harmony Road North and the Harmony Creek valley, 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 of Economic and Development Services and Legal Services; and,
2. That, pursuant to Report ED-24-08 dated January 3, 2024, the revised application submitted by Silwell Developments Ltd. and 1229403 Ontario Ltd. to amend Zoning By-law 60-94 (File: Z-2012-11) to permit a secondary school and alternate residential land uses in the event a secondary school is not constructed on lands located south of Greenhill Avenue, between Harmony Road North and the Harmony Creek valley, 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 of Economic and Development Services and Legal Services; and,

3. That, pursuant to Report ED-24-08 dated January 3, 2024, an easement for a storm water outfall from the subject site to the Harmony Creek over a portion of City-owned lands be approved in a form and content satisfactory to the Commissioner of Economic and Development Services and the City Solicitor; and,
4. That, pursuant to Report ED-24-08 dated January 3, 2024, the Commissioner of Economic and Development Services be authorized to execute any required documents to give effect to Part 3 above, including any required easement agreements with Silwell Developments Ltd., 1229403 Ontario Ltd. and/or the Durham Catholic District School Board, in a form and content acceptable to the City Solicitor and the Commissioner of Economic and Development Services; and,
5. That in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-13-166 dated May 22, 2013 presented at the public meeting of May 27, 2013 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

The vote to adopt the recommendation contained in Item ED-24-08 and pass By-laws 13-2024 and 14-2024.

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

Conflict (1): Councillor Neal

Absent (2): Mayor Carter, and Councillor Nicholson

Motion Carried (8 to 0)

CO-24-03 - Various Residents Submitting Correspondence in Support of Amending Traffic By-law 79-99, as amended to Allow Parking on Boulevards (All Wards)

CO-24-04 - Various Residents Submitting Correspondence in Opposition of Amending Traffic By-law 79-99, as amended to Allow Parking on Boulevards (All Wards)

Consent Motion:

That in accordance with Correspondence CO-24-03 and CO-24-04 from various residents concerning parking on boulevards, Traffic By-law 79-99, as amended not be further amended; and,

That staff continue normal enforcement of the By-law.

The vote to adopt the recommendation contained in Items CO-24-03 and CO-24-04.

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

Negative (1): Councillor Neal

Absent (2): Mayor Carter, and Councillor Nicholson

CNCL-24-02 - Proposed Replacement and Consolidation of the By-laws Establishing and Appointing Screening and Hearings Officers (All Wards)

Consent Motion:

1. That in accordance with Report CNCL-24-02 dated January 24, 2024 concerning a proposed replacement and consolidation of the By-laws establishing and appointing Screening and Hearing Officers, Council pass a By-law to appoint Screening and Hearing Officers as set out in Attachment 2 to this Report and in a form and content acceptable to the Commissioner, Safety and Facilities Services, the City Solicitor, and the Director, Legislative Services/City Clerk; and,
2. That the proposed amendments to the Parking Administrative Penalty System By-law 24-2011, as amended, and the Administrative Penalty Process By-law 63-2013, as amended, to remove the appointment process for Screening Officers be approved and the amending by-law be passed as set out in Attachment 3 to this Report and in a form and content acceptable to the Commissioner, Safety and Facilities Services, the City Solicitor, and the Director, Legislative Services/City Clerk; and,
3. That Hearings Officer By-law 26-2008, as amended, and By-law 163-2022, be repealed.

The vote to adopt the recommendation contained in Report CNCL-24-02 and pass By-laws 17-2024 and 18-2024.

Motion Carried

10-2024 - A By-law to Designate the Property Municipally Known as 110 Simcoe Street South

(Implements Council direction of October 30, 2023 through Item ED-23-196 of the Seventeenth Report of the Economic and Development Services Committee to designate the property municipally known as 110 Simcoe Street South, specifically PIN 16353-0167 (LT) LOTS 1 TO 12, BLOCK K, PLAN H50004 OSHAWA, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.)

The vote to pass By-law 10-2024 to designate the property municipally known as 110 Simcoe Street South.

Motion Carried

11-2024 - A By-law to Designate the Property Municipally Known as 72 Queen Street

(Implements Council direction of October 30, 2023 through Item ED-23-196 of the Seventeenth Report of the Economic and Development Services Committee to designate the property municipally known as 72 Queen Street, specifically PIN 16353-0162 (LT) PT LT C-7, C-8, C-8 1/2, C-9, & C-10, SHEET 21, PL 335, PT LT 1 & 2, PL 53, PT OF QUEEN STREET, PL H-50004, NOW PT 2, 3, & 4, PL 40R-9214, CITY OF OSHAWA, REGION 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.)

The vote to pass By-law 11-2024 to designate the property municipally known as 72 Queen Street.

Motion Carried

12-2024 - A By-law to Designate the Property Municipally Known as 760 King Street West

(Implements Council direction of October 30, 2023 through Item ED-23-196 of the Seventeenth Report of the Economic and Development Services Committee to designate the property municipally known as 760 King Street West, specifically PIN 16301-0453 (LT) LOTS 6 & 7, PART LOT 415 SHEET 16C PLAN 370 EAST WHITBY, S/T EASEMENT OVER PART LOT 4 SHEET 16C PLAN 370, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.)

The vote to pass By-law 12-2024 to designate the property municipally known as 760 King Street West.

Motion Carried

Items Pulled from the Information Package

None

Closed Consent Agenda

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That all items listed under the heading of Closed Consent Agenda for the City Council Meeting dated January 29, 2024 be adopted as recommended except Item ED-24-10 from the Twenty-fourth Report of the Economic and Development Services Committee.

Motion Carried

Moved by Councillor Marimpietri

Seconded by Councillor Marks

That the meeting recess and reconvene in a session closed to the public pursuant to 239 (2)(e) of the Municipal Act in order to consider Item ED-24-10 which is concerning litigation or potential litigation involving the municipality.

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-24-02 - Request to finalize Extended Lot Condition - Emerson Court (Ward 5)

That Correspondence ED-24-02, dated December 1, 2023, concerning a request to finalize Extended Lot Condition on Emerson Court be referred to staff for a report.

Report of the Safety and Facilities Services Committee

None

Other Staff Reports and Motions

CNCL-24-01 - Replenishment of the Urban Growth Centre Community Improvement Reserve - Wentworth Street West Community Improvement Plan Budget Allocation (Ward 5)

Whereas, on May 29, 2023, Council considered Item CF-23-40 and passed a multi-part motion including parts specifically relating to the Wentworth Street West Community Improvement Plan, as follows:

“2. That staff be directed to fund the remaining recommended Economic Stimulus grant for the 11 Simcoe Street North application in the amount of \$140,000 from the Wentworth Street West Community Improvement Plan budget; and,

3. That staff investigate how to replenish the Wentworth Street West Community Improvement Plan budget to ensure fiscal sustainability and report back to Council during the 2024 budget deliberations”; and,

Whereas, on October 30, 2023, Council authorized staff to advance two (2) disposal strategies contained in Closed Reports ED-23-178 and ED-23-197 concerning the City- owned Christine Crescent road allowance and a portion of the City-owned Cromwell Avenue road allowance, respectively; and,

Whereas, in both Reports it was noted that the proceeds of both dispositions, if successful, would be deposited into the Civic Property Development Reserve; and,

Whereas, there is an opportunity to use the proceeds of either of the two (2) aforementioned dispositions to replenish the Urban Growth Centre Community Improvement Reserve – Wentworth Street West Community Improvement Plan budget allocation;

Therefore be it resolved that, pursuant to Closed Item CNCL-24-01, Council approve the following concerning the replenishment of the Urban Growth Centre Community Improvement Reserve – Wentworth Street West Community Improvement Plan budget allocation:

1. That the proceeds related to the sale of the Christine Crescent road allowance be used to replenish the Urban Growth Centre Community Improvement Reserve – Wentworth Street West Community Improvement Plan budget allocation, unless preceded by the

sale of the portion of the Cromwell Avenue road allowance, in which case the proceeds will instead continue to be deposited in the Civic Property Development Reserve as originally contemplated; and,

2. That the proceeds related to the sale of the portion of the Cromwell Avenue road allowance be used to replenish the Urban Growth Centre Community Improvement Reserve – Wentworth Street West Community Improvement Plan budget allocation, unless preceded by the sale of the Christine Crescent road allowance, in which case the proceeds will instead continue to be deposited in the Civic Property Development Reserve as originally contemplated.

CNCL-24-04 - Single Source Financial Services (Ward 2)

Whereas the Purchasing By-Law 80-2020 requires Council to approve Professional and Consulting Services single source contracts greater than \$50,000 not including H.S.T.; and,

Whereas Deloitte LLP has provided financial services to the City for many years and understands the City's operations; and,

Whereas Deloitte LLP will submit a proposal to the City to review and prepare recommendations; and,

Whereas it is recommended to single source these financial services to Deloitte LLP; and,

Whereas the cost of the financial services can be funded from the Corporate Expenditure account, Consulting and Audit Fees, with any surplus funds recognized throughout the year, at the discretion of the Treasurer;

Therefore be it resolved:

1. That pursuant to Closed Item CNCL-24-04, dated January 24, 2024 Council authorize the Manager, Procurement to negotiate and award a single source contract to Deloitte LLP not to exceed the amount of \$75,000 not including H.S.T.; and,
2. That staff report back on the results in Q2 2024.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

ED-24-10 - Update on the Appeal of Council's Denial of an Application to Demolish 195 Simcoe Street North (Ward 4)

Consent Motion:

That pursuant to Report ED-24-10 dated January 3, 2024, staff be authorized to proceed as outlined in Section 2.0 of said Report, with Part 6 as amended with respect to the request under Section 39 of the Ontario Heritage Act in Closed Session.

Carried by later votes

Moved by Councillor Kerr

Seconded by Councillor Giberson

That the meeting recess for ten minutes.

Motion Carried

The meeting recessed at 11:35 a.m. and reconvened at 11:46 a.m. in a session closed to the public with all members of Council in attendance except Councillors Neal (entered the meeting at 11:48 a.m.), Nicholson and Mayor Carter.

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 Commissioner, Safety and Facilities Services Department; the City Solicitor; the Director, Municipal Law Enforcement and Licensing Services; the Director, Planning Services; the Manager, Policy, the Chief Building Official; C. Leherbauer, Senior Planner and F. Bianchet, Council-Committee Coordinator who were participating from the Chamber and M. Mayhew-Hammond, Lawyer who was participating electronically.

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

Council entered closed session at 11:46 a.m.

Closed meeting discussions took place.

Moved by Councillor Marimpietri
Seconded by Councillor Gray

That Council rise from closed session and report.

Motion Carried

Closed Meeting Report

The following is a summary of the closed portion of the meeting.

All members of Council were present in the Chamber except Councillor Nicholson and Mayor Carter who were absent.

Members of Council questioned the Commissioner, Economic and Development Services Department and M. Mayhew-Hammond, Lawyer concerning Item ED-24-10.

The Commissioner, Economic and Development Services Department and M. Mayhew-Hammond, Lawyer responded to questions from Council.

Council rose from closed session as 12:05 p.m.

This concludes the closed meeting summary.

Item ED-24-10 concerning an update on the appeal of Council's denial of an application to demolish 195 Simcoe Street North was now before Council.

A request was made to divide the recommendation in order to vote on Part 6 separately.

The vote to adopt Parts 1 to 5 of the recommendation contained in Item ED-24-10.

Affirmative (8): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Marimpietri, Councillor Marks, Councillor McConkey, and Councillor Neal

Negative (1): Councillor Lee

Absent (2): Mayor Carter, and Councillor Nicholson

Motion Carried (8 to 1)

The vote to adopt Part 6 of the recommendation contained in Item ED-24-10.

Affirmative (8): Councillor Chapman, Councillor Giberson, Councillor Gray, Councillor Kerr, Councillor Marimpietri, Councillor Marks, Councillor McConkey, and Councillor Neal

Negative (1): Councillor Lee

Absent (2): Mayor Carter, and Councillor Nicholson

Motion Carried (8 to 1)

Items Requiring Council Direction

None

Matters Tabled

None

Notices of Motion

CNCL-24-06 - Posting Stormwater Pond Cleaning Locations and Project Information on the City's Website (All Wards)

Moved by Councillor McConkey

Seconded by Councillor Giberson

Whereas Stormwater Management Pond Cleaning is included in the annual budget (project 54-0005); and,

Whereas other municipalities annually post a list which stormwater ponds are scheduled for sediment removal on their websites;

Now therefore to increase public awareness of the process, Council directs staff to post annually the approved stormwater pond cleaning locations and appropriate project information on the City's website.

Motion Carried

CNCL-24-08 - Installing Solar Lights on Colin Road East to Accommodate Safer Bus Stops (Ward 1)

Moved by Councillor McConkey
Seconded by Councillor Neal

Whereas the road, traffic and pedestrian conditions on Conlin Road East have been growing increasingly problematic; and,

Whereas both Oshawa and Region staff are working on the design and funding for the infrastructure needed to complete the urban landscape along Conlin Road East;

Whereas the lack of safe accessible bus stops, lighting, turn lanes, and a four lane road necessary to accommodate the heavy traffic, combined present serious safety issues;

Now therefore staff investigate the feasibility of installing solar lights (similar to the one installed at Winchester Road East and Given Road in Oshawa) to be installed at the earliest opportunity in conjunction with Durham Region Transit and the Region of Durham on Conlin Road East to accommodate safer bus stops.

Amendment:

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the motion be amended to delete the words 'to be installed at the earliest opportunity' before the words 'in conjunction with Durham Region Transit and the Region of Durham'

Affirmative (5): Councillor Chapman, Councillor Gray, Councillor Lee, Councillor Marimpietri, and Councillor Marks

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

Absent (2): Mayor Carter, and Councillor Nicholson

Motion Carried (5 to 4)

The vote to adopt the recommendation contained in Notice of Motion CNCL-24-08, as amended.

Motion Carried

Confirming By-Law

Moved by Councillor Marimpietri
Seconded by Councillor Marks

That the confirming by-law be passed.

Motion Carried

Adjournment

Moved by Councillor Marks
Seconded by Councillor Kerr

That the meeting adjourn at 12:32 p.m.

Motion Carried

Mayor

City Clerk