



City Council Meeting

January 28, 2019

Council Chamber

Civic Administration Complex

50 Centre Street South, Oshawa

Closed Session – 3:30 p.m.

Public Session – 6:30 p.m.

Agenda

Notice to Correspondents

The personal information contained in your correspondence to Oshawa City Council or its committees is collected under the Municipal Act, 2001. Any personal information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the City to make its decision on the matter. This information will become part of the public record.

The City of Oshawa is committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have accessibility needs and require alternate formats or other accommodations please contact City Clerk Services by telephone 905-436-3311 or by e-mail at clerks@oshawa.ca or in person.

Agendas and Minutes can be found at: <http://calendar.oshawa.ca/Meetings>

Council Composition

The Council of the City of Oshawa is comprised of eleven members – one Mayor, five Regional Councillors (one per Ward) and five City Councillors (one per Ward)

Members of Council

The Members of the Council of the City of Oshawa are:

Mayor Dan Carter

Regional Councillor Bob Chapman (Ward 3)

City Councillor Derek Giberson (Ward 4)

City Councillor John Gray (Ward 5)

City Councillor Jane Hurst (Ward 2)

Regional Councillor Rick Kerr (Ward 4)

Regional Councillor Tito-Dante Marimpietri (Ward 2)

City Councillor Bradley Marks (Ward 3)

City Council Rosemary McConkey (Ward 1)

Regional Councillor John Neal (Ward 1)

Regional Councillor Brian Nicholson (Ward 5)

City Council Meetings

City Council meetings are held on the following Mondays in 2019, the public session commencing at 6:30 p.m.: January 28, February 19 (Tuesday), March 18, April 8, April 29, May 21 (Tuesday), June 10, June 24, September 23, October 15, November 4, December 2 and December 16.

There are four Standing Committees of Council: Development Services Committee, Corporate Services Committee, Community Services Committee and Finance Committee. A calendar of all Standing Committee dates is available on the City of Oshawa website at www.oshawa.ca.

For inquiries about this agenda please contact City Clerk Services at 905-436-3311 or by email at clerks@oshawa.ca. Members of the public may address Council concerning an item on the agenda provided they have appeared before the appropriate Standing Committee by submitting a written request to the City Clerk before 4:30 p.m. on the Tuesday preceding the Monday Council Meeting. Speakers are limited to 5 minutes.

Please Note:

- Cellular phones must be switched to the non-audible function during this meeting
- Video recording/photography is permitted in the designated areas
- The City of Oshawa maintains a scent-free policy. Please refrain from wearing/using perfumes, colognes or other scented products at this meeting.

Food and drinks are not permitted in the Council Chamber.

Closed Meeting (3:30 p.m.)

Additional Closed Items

(As may be presented at the meeting.)

Declarations of Pecuniary Interest

(As may be presented by Council Members)

Closed Consent Agenda

That all items listed under the heading of Closed Consent Agenda for the City Council meeting dated January 28, 2019 be adopted as recommended.

Closed Correspondence

None.

Closed Standing Committee Reports

Report of the Community Services Committee

None.

Report of the Corporate Services Committee

None.

Report of the Development Services Committee

None

Report of the Finance Committee

FIN-19-10 Assessment Appeal Settlement

Closed pursuant to the Section 239.2 (e) and (f) of the Municipal Act

(To be distributed at the meeting)

Closed Staff Reports/Motions

None

Discussion Agenda

Matters Excluded from Consent Agenda

Items Requiring Action

None

Presentations

Visha Sukdeo, Executive Director Human Resource Services concerning Collective Bargaining Negotiations with the International Association of Fire Fighters Local 465.

Recess

Public Meeting (6:30 p.m.)

National Anthem

Recognition of Indigenous Lands

The City of Oshawa is situated on treaty land that is steeped in rich indigenous history and is the present day home to many First Nations, Metis and Inuit people. Today, we acknowledge that we are gathering on the traditional territories of the Mississaugas of Scugog Island First Nation.

Council Member Announcements

(As may be presented by Council Members.)

Additional Agenda Items

(As may be presented at the meeting)

Declarations of Pecuniary Interest

(As may be presented by Council Members)

Presentations

The Oshawa Sports Hall of Fame to introduce the Hall of Fame inductees for 2019.

Delegations

None.

Matters Requiring Direction

Correspondence Requiring Action

CNCL-19-13 Region of Durham Requesting Nominations for the Durham Agricultural Advisory Committee and the Durham Environmental Advisory Committee

(See Pages 1 to 2 and C3 and C4)

CNCL-19-15 Durham Region Transit Requesting the City Nominate a Community Member Representative to the Durham Region Transit Advisory Committee

(See Pages 5 to 6 and C7 and C17)

Items Pulled from Information Package

None.

Public Consent Agenda

That all items listed under the heading of Public Consent Agenda for the City Council meeting dated January 28, 2019 be adopted as recommended.

Correspondence

None.

Adoption of Council Minutes

That the minutes of the City Council meetings held on **January 7, January 10, January 11** and **January 17, 2019** be adopted.

Standing Committee Reports

Report of the Community Services Committee

CS-19-12 Linda Power requesting the City of Oshawa 2019 Budget provide an increase to the Animal Services shelter budget

(Handout)

Recommendation

That City Council Referral CS-19-12 concerning correspondence from Linda Power requesting an increase to the Animal Services shelter budget be referred to the 2020 budget.

CS-19-06 Vehicle Speeding and Road Safety Concerns on Ormond Drive

(See Pages 3 to 15)

Recommendation

That the matter be referred to Council without recommendation.

CS-19-05 Receipt of Automated External Defibrillator (A.E.D.) Donation from Safe Communities of Pickering and Ajax (SCOPA)

Recommendation

Whereas the City operates and maintains A.E.D.s with Lakeridge Health as part of the Public Access Defibrillator (P.A.D.) program since 2004; and,

Whereas since this time the City has continued to grow and expand the P.A.D. program with increasing availability of A.E.D. units at City facility locations; and,

Whereas City Recreational Facilities currently contain A.E.D.s at Civic Recreation Complex, Delpark Homes Centre, Donevan Recreation Complex, Northview Community Centre, South Oshawa Community Centre; and,

Whereas Safe Communities of Pickering and Ajax (SCOPA) has generously donated three mobile A.E.D. units to the City through Lakeridge Health; and,

Whereas these units are to be placed at Rotary Park Pool, Camp Samac Pool and Lakeridge Park Beach in conjunction with summer aquatic operations; and,

Whereas receipt of these units requires the City to execute a Defibrillator Transfer Agreement provided by SCOPA; and,

Whereas this agreement has been attached as Schedule A to this motion,

Therefore be it resolved that City Council authorize the Mayor and Clerk to execute the agreement with SCOPA acceptable to Legal Services and Finance Services to receive the A.E.D.s.

Report of the Corporate Services Committee

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

CORP-19-07

Town of Kearney forwarding a resolution passed by the Town of Kearney Council regarding the creation, maintenance and general quality of the Municipal Voters' List (INFO-18-212)

(See Page 6)

Recommendation

That City Council endorse the resolution of the Town of Kearney regarding the creation, maintenance and general quality of the Municipal Voters List.

CORP-19-05

Training Related to the City's Accountability and Transparency Policy

Recommendation

That City Council Referral CORP-19-05 concerning training related to the City's Accountability and Transparency Policy be received for information.

CORP-19-09

Amendment to Procedure By-law to Permit All Councillors to Add Items to Regular Standing Committee Agendas

Recommendation

1. That Council's rules of procedure be amended to permit any Member of Council to add matters to regular Standing Committee agendas under 'Items introduced by Councillors' by giving written notice to the Standing Committee Chair and Clerk, regardless of whether they are a Member of the Standing Committee or not, subject to the Clerk's agenda publishing deadline; and,

2. That Council's rules of procedure be amended to permit any Member of Council to request a matter be added to the 'Items introduced by Councillors' section of regular Standing Committee agendas, regardless of whether they are a Member of the Standing Committee or not, should the Member miss the Clerk's agenda publishing deadline by giving written notice to the Standing Committee Chair and Clerk at the meeting; and,
3. That Council's rules of procedure be amended to permit discussion of matters included in the 'Items introduced by Councillors' section of regular Standing Committee agendas only, without requiring a motion be put on the floor first and not for the balance of items on a Standing Committee agenda; and,
4. That for clarity, only Standing Committee Members be permitted to make a motion at Standing Committee meetings; and,
5. That the two-week notice to the public as set out in Notice By-law 147-2007 be waived.

CORP-19-10

Reporting of Lawsuits Filed by the City of Oshawa

Recommendation

That all lawsuits filed on behalf of the City only occur after report and recommendation to the appropriate Standing Committee and Council; and,

That this motion be referred to staff for a report back.

Report of the Development Services Committee

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

DS-19-08Durham District School Board- Various Surplus Properties

(See Pages 1 to 15)

Recommendation

That pursuant to Correspondence DS-19-08, the Durham District School Board be advised that the City of Oshawa has an expression of interest in acquiring the various properties set out in the correspondence dated November 8, 2018 from DDSB, and that staff

be directed to report back to Development Services Committee on the outlined properties.

DS-19-01

Proposed Designation Pursuant to the Ontario Heritage Act: Central Lake Ontario Conservation Authority Office Building at 100 Whiting Avenue

(See Pages 53 to 89)

Recommendation

That, pursuant to Report DS-19-01 dated January 9, 2019, Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate 100 Whiting Avenue as a property of cultural heritage value or interest by undertaking the following:

- a) Prepare a Notice of Intention to Designate 100 Whiting Avenue under the Ontario Heritage Act;
- b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers;
- c) Forward the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and
- d) Prepare the necessary by-law which will include the proposed Designation Statement and Description, for subsequent approval by Council.

DS-19-03

Reinstatement of a Full Time Manager of Building Inspection Services in the Building Permit and Inspection Services Branch

(See Pages 90 to 94)

Recommendation

That pursuant to Report DS-19-03 dated January 9, 2019, Council approve the reinstatement of the Manager of Building Inspection Services as a full time exempt position located in the Building Permit and Inspection Services Branch and the cost to create a new office with furniture all to be funded from the annual payment of building permit fees and the Building Permit Reserve Fund.

DS-19-04

Integrated Columbus Part II Planning Act and Municipal Class Environmental Assessment Act Study: Status and Proposed Columbus Community Advisory Committee Terms of Reference and Membership

(See Pages 95 to 191 and C192)

Recommendation

1. That, pursuant to Report DS-19-04 dated January 9, 2019, Council select the five individuals from the Columbus community who have expressed an interest in participating as a member of the Columbus Community Advisory Committee, as identified in Confidential Attachment 11 to said Report, to serve as members of the Columbus Community Advisory Committee; and,
2. That, pursuant to Report DS-19-04 dated January 9, 2019, Council approve the proposed Terms of Reference for the Columbus Community Advisory Committee as outlined in Attachment 10 to said Report; and,
3. That going forward, the Columbus Landowners' Group will be formally referred to as the Columbus Developers Group'.

DS-19-05

Proposed New Telecommunication Tower on City Land at 1609 Simcoe Street South, Fontur International Inc. on behalf of Signum Wireless Corporation

(See Pages 193 to 196 and C211)

Recommendation

Whereas the City's Telecommunication Policy as approved by City Council requires that in the event that Council approves, in principle, a lease of City land for a proposed telecommunication tower then a public meeting shall be held by the Development Services Committee to obtain public input before Council takes any formal position on the proposal; and,

Whereas the City's Telecommunication Policy indicates that staff will only report on the proposed terms of the lease as appropriate, after Council takes a formal position in support of the proposed tower; and,

Whereas on January 30, 2018 Fontur International Inc. (Fontur) on behalf of Signum Wireless Corporation (Signum) submitted a letter (DS-18-20) proposing lease terms for a new telecommunication tower on City-owned lands at 1609 Simcoe Street South and requesting an exemption from the public meeting requirement of the City's Telecommunication Policy; and,

Whereas the proposed telecommunication tower is to be located on the east side of Simcoe Street South, south of the Oshawa Creek and Harbour Road and is intended to have a decorative design as shown on Attachments 1 and 2; and,

Whereas on February 20, 2018 Council considered Fontur's request (DS-18-20) and denied the request for an exemption from the public meeting requirement of the City's Telecommunication Policy; and,

Whereas on January 4, 2019 Fontur submitted a letter containing revised lease terms resulting from discussions with City staff; and,

Whereas it is important to obtain public input and for the Development Services Committee to hold a public meeting on the proposed telecommunication tower location prior to Council taking a formal position on the proposed telecommunication tower; and,

Whereas holding a public meeting to obtain public input does not imply any form or degree of Council approval;

Therefore, be it resolved that the telecommunication tower proposed by Fontur, on behalf of Signum on City-owned land at 1609 Simcoe Street South be approved in principle for the purpose of holding a public meeting and obtaining public input as required by the City's Telecommunication Policy, and;

That the distribution of the notice of the Public meeting related to Report DS 19-05 involve input from the Ward 5 Council Members and the Mayor to ensure satisfactory notification to area residents.

DS-19-13

Policy Concerning Developer Identification at Public Consultation Meetings

Recommendation

Whereas particulars about the December 5, 2018 Public Information Consultation in Stage One of the Integrated Columbus Part II Planning Study status are contained in Report DS-19-04 which is on the January 14, 2019 Oshawa Development Services Committee meeting Agenda, and;

Whereas the December 5, 2018 Public Consultation Meeting 1 was an opportunity to receive residents' input to develop guiding principles and identify problems and opportunities, and was to include the opportunity to document concerns and opinions on matters to be considered as the Study moves forward, and;

Whereas during the Public Consultation Meeting 1 the proponents of the Columbus Developers Group were not identified to the Columbus residents and took part in the table discussions and at least one of the developer's representatives got himself appointed as a spokesperson for the residents and expressed his views on the desired residential density of the proposed development of the Columbus lands without every advising the residents present of his affiliation with the developers group;

Therefore, a policy be enacted requiring City staff to ensure going forward that all future Public Consultation Meetings (PICs) are conducted in a more transparent matter, and that all representatives of any group other than the residents being consulted and participating in such meetings are identified via name tags and not allowed to participate in the residents' deliberations or to speak on the residents' behalf.

Report of the Finance Committee

The Finance Committee respectfully reports and recommends to City Council its Second Report.

FIN-19-07

MADD Canada Requesting the City Purchase Advertising in the annual Message Yearbook

(See Pages 6 to 7)

Recommendation

That based on Correspondence FIN-19-07 from MADD Canada requesting the city purchase advertising in the annual Message Yearbook, Corporate Communications prepare an advertisement and arrange for funding in the amount of \$550 from the advertising budget.

FIN-19-08 2019 Borrowing By-law

(See Pages 8 to 12)

Recommendation

That the Borrowing By-law as outlined in Attachment 1 to Report FIN-19-08 dated January 15, 2019 concerning the 2019 Borrowing By-law be approved.

Staff Reports/Motions

CNCL-19-12 Response to Correspondence from Ms. Heather Ann McConnell, Goldblatt Partners LLP regarding the Oshawa Professional Firefighters' Association's Right to Address City Council

(See Pages 18 to 40)

Recommendation

That Report CNCL-19-12 dated January 23, 2019 concerning the response to the Oshawa Professional Firefighters' Association's right to address City Council be received for information.

By-laws

8-2019 A By-law to Authorize Borrowing
(Implements direction of January 28, 2019 through Item FIN-18-08 of the Third Report of the Finance Committee to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2019)

Discussion Agenda

Matters Excluded from Consent Agenda

Matters Tabled

None

Notices of Motion

(As may be presented by Council Members)

Confirming By-law

A by-law to confirm the City Council meeting of January 28, 2019.

Adjournment