

Minutes of a meeting of the Council of the City of Oshawa held in the Committee Meeting Room on February 19, 2019 at 3:30 p.m.

Mayor Carter and Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey (entered the meeting at 6:30 p.m.), Neal and Nicholson (entered the meeting at 6:30 p.m.) were present.

Mayor Carter presided.

Closed Meeting

Additional Closed Items

None.

Declarations of Pecuniary Interest

Councillor Neal made a declaration of interest concerning Item CORP-19-21 related to Corporate Security at City Facilities as the report references the Oshawa Senior Citizens Centres and he is a member of the Board of Directors of the Oshawa Senior Citizens Centres as a citizen appointment and did not participate in discussion or voting on the item.

Closed Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Gray, (206) "That all items listed under the heading of Closed Consent Agenda for the City Council meeting dated February 19, 2019 be adopted as recommended." Carried

Closed Correspondence

None.

Closed Standing Committee Reports

Report of the Community Services Committee

None

Report of the Corporate Services Committee

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

CORP-19-12 Corporate Security at City Facilities and Security Incidents

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

Recommendation (Carried – See Page 91)

That Report CORP-19-12 dated January 29, 2019 concerning corporate security at City facilities and security incidents be received for information.

Report of the Development Services Committee

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

DS-19-17 Proposed Lease Amendment: 100 Simcoe Street South, Oshawa PUC Networks Inc.

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

Recommendation (Carried – See Page 91)

That pursuant to Report DS-19-17 dated January 29, 2019, the Commissioner, Development Services Department be authorized to execute an amendment to the lease agreement with Oshawa PUC Networks Inc. for 100 Simcoe Street South generally consistent with the terms and conditions as generally set out in Section 5.5 of this Report and in a form and content satisfactory to the Commissioner, Development Services Department and City Solicitor.

DS-19-20 Proposed Amendment to Acquisition Strategy for Eastern Part of 505 Simcoe Street South

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

Recommendation (Carried – See Page 91)

That staff be directed to proceed as set out in Report DS-19-20 concerning the proposed amendment to the acquisition strategy for the eastern part of 505 Simcoe Street South.

Report of the Finance Committee

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

FIN-19-13 Tax Arrears over \$25,000 as at December 31, 2018

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

Recommendation (Carried – See Page 91)

That Report FIN-19-13 dated February 6, 2019 concerning property taxes with arrears balances greater than \$25,000 outstanding as of January 1, 2019 be received for information.

FIN-19-14 Municipal Tax Advisory Group Anomalous Assessment Review

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

Recommendation (Carried – See Page 91)

That Report FIN-19-14 dated February 6, 2019 concerning the outcomes of the Municipal Tax Advisory Group Anomalous Assessment Review be received for information.

Closed Staff Reports/Motions**CNCL-19-20 Notice of Potential Claim**

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

Recommendation (Carried – See Page 91)

That Council authorize City staff to proceed as recommended in Section 5.4 of Report CNCL-19-20 dated February 13, 2019.

CNCL-19-21 Orin Contractors Corp. v. The Corporation of the City of Oshawa; Court File No. CV-19-00613063-0000

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

Recommendation (Carried – See Page 91)

That, pursuant to Report CNCL-19-21, dated February 13, 2019, staff be authorized to implement the Go Forward Recommendations contained in Section 5.6 of said Report.

Discussion Agenda**Matters Excluded from Consent Agenda**

None.

Items Requiring Action

None

Presentations

None

Moved by Councillor Marimpietri, seconded by Councillor Marks, (207) "That the meeting recess." Carried

The meeting recessed at 3:31 p.m. and reconvened at 6:30 p.m. All Council members were present following the recess.

Public Meeting

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

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Chapman, seconded by Councillor Giberson,
(208) "That the delegation request of Greg Milosh concerning Item CS-19-15 and Correspondence CNCL-19-25 from the Oshawa Port Authority be added to the agenda for the Council meeting of February 19, 2019." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Moved by Councillor Chapman, seconded by Councillor Kerr,
(209) "That the rules of procedure be waived to introduce a motion related to the Port of Oshawa Working Group at this time." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri and Mayor Carter

Negative – Councillors McConkey, Neal and Nicholson

Absent – None

Moved by Councillor Chapman, seconded by Councillor Kerr,
(210) Whereas on February 15, 2019, Council established a Working Group with a mandate to monitor the evolving governance and land use issues at the Port of Oshawa and adjacent lands and to provide recommendations and advice to City Council through the Development Services Committee; and,

Whereas the composition of this Working Group consists of a quorum of the Development Services Committee meets the definition of a "meeting" as per the Municipal Act; and,

Whereas these meetings must be open to the public and may only be closed to the public if the nature of the discussion aligns with the permitted provisions in the Municipal Act; and,

Whereas public notice of meetings of the Working Group will be required in the form of an agenda posted to the City's website; and,

Whereas the City Clerk or his designate must be present to take meeting minutes; and,

Whereas Council has directed that all open and closed Council and Standing Committee meetings be audio recorded; and,

Whereas Council has directed all regular and special Council and Standing Committee meetings be web streamed and archived;

Therefore be it resolved:

1. That the meetings of the Port of Oshawa Working Group be held at City Hall in the Committee meeting room and audio recorded, including the closed portion, if required; and,
2. That the meetings of the Port of Oshawa Working Group, open portion only, be web streamed and archived; and,
3. That all new sub-committees, working groups or any other body established by City Council which meet the definition of a 'meeting' in accordance with the Municipal Act, be required to follow the same process for audio recording and web streaming meetings." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Moved by Councillor McConkey, seconded by Councillor Neal,
(211) "That the rules of procedure be waived to introduce a motion concerning the provision of broadband/fibre infrastructure cable in the Simcoe Street/Winchester Road reconstruction project." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Moved by Councillor McConkey, seconded by Councillor Neal,
(212) "Whereas Oshawa Council approved Report DS-18-62 on September 24, 2018 regarding the City's Broadband Strategy which stated:

1. The majority of Oshawa, with the exception of the rural areas, is offered private sector internet services that would achieve the CRTC service level objective; and that
2. City staff will continue to monitor the Dig Once discussion and make recommendations to current priorities where clear financial and community benefits are possible; and
3. Monitor Dig Once policies and programs of the Region of Durham and area municipalities and adopt new practices where benefit is demonstrated and continue to consult with telecom providers on City road reconstruction projects; and

Whereas on January 24, 2019 the Region announced it awarded contract D2018-054 for the reconstruction of Simcoe Street from 500 metres south of Winchester Road to 250 metres north of Winchester Road and Winchester Road from 320 metres west of Simcoe Street to 410 metres east of Simcoe Street; and

Whereas the reconstruction of Simcoe Street and Winchester Road is to commence February 2019 and be completed December 2019 and includes roadway reconstruction, additional through and right turn lanes, new curb and gutter, traffic signal reconstruction, street lighting and hydro duct banks;

Whereas high speed internet service is not available in the rural area of Oshawa north of Winchester Road and Simcoe St;

Therefore the City of Oshawa forthwith request the Region of Durham to include broadband/fibre infrastructure cable in the Simcoe Street/Winchester Rd. reconstruction project.” Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Declarations of Pecuniary Interest

None

Presentations

Dr. Leroy Clarke, e-CAMP MENTORing provided a presentation regarding Black History Month in the City of Oshawa.

Members of Council questioned Dr. Clarke.

Moved by Councillor Kerr, seconded by Councillor Giberson,
(213) “That the rules of procedure be waived to introduce a motion concerning the naming of a parkette at this time.” Carried on a 2/3 vote of members present

Moved by Councillor Kerr, seconded by Councillor Giberson, (214) "Whereas Dr. B. George Blake was born in Jamaica and participated in the British Royal Air Force in World War II; and,

Whereas he was a highly-regarded doctor in psychology and specialized in addiction health issues; and,

Whereas it has been reported that he was an original founder of the Pinewood Centre of Lakeridge Health in Oshawa; and,

Whereas he was a lifetime member and one of the original founders of Storytellers of Canada; and,

Whereas in 2014 he received the Lifetime Achievement Award under the African Canadian Achievement Awards Program; and,

Whereas he was a resident of Oshawa for many years until his death in 2018 at the age of 95 years; and,

Whereas February 2019 is Black History Month in Canada and it is important to recognize those leaders in our community that embrace diversity and inclusion;

Therefore be it resolved that the future parkette located at the end of Royal Street adjacent to the Oshawa Creek Valley and one block south of the Pinewood Centre be named in honour of the late Dr. B. George Blake" Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Mayor Carter presented Certificates of Recognition to citizens appointed by Council who served on boards and committees and whose terms of office have expired.

Janet Taylor, Oshawa PUC Energy Services and Mr. Takashi Omote, New Energy and Industrial Technology Development Organization (NEDO) provided a presentation concerning the formal close out of the Solar Energy Management Systems pilot.

Members of Council questioned Janet Taylor, Oshawa PUC Energy Services and Mr. Takashi Omote, New Energy and Industrial Technology Development Organization.

Delegations

Moved by Councillor Kerr, seconded by Councillor McConkey, (215) "That Greg Milosh be heard." Carried

Greg Milosh addressed City Council in support of Item CS-19-15 related to the 100th anniversary of Oshawa in 2024 but recommended the timeline be amended to start planning earlier.

Members of Council questioned Greg Milosh.

Matters Requiring Direction

Correspondence Requiring Action

CNCL-19-25 Oshawa Port Authority Reiterating its Offer Concerning the Harbour Road
Extension Agreement

Moved by Councillor Marimpietri, seconded by Councillor Marks,
(216) "That Correspondence CNCL-19-25 dated February 19, 2019 from Donna Taylor,
President and Harbourmaster of the Oshawa Port Authority be referred to Item DS-19-24."
Carried

Items Pulled from Information Package

None.

Moved by Councillor Chapman, seconded by Councillor Marks,
(217) "That the meeting recess." Carried

The meeting recessed at 8:23 p.m. and reconvened at 8:40 p.m. with all members in attendance.

Public Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Giberson,
(218) "That all items listed under the heading of Public Consent Agenda for the
February 19, 2019 Council meeting be adopted as recommended except:

Items CS-19-15 and CS-19-20 of the Fifth Report of the Community Services Committee;

Item CORP-19-16 of the Third Report of the Corporate Services Committee;

Item DS-19-24 of the Fourth Report of the Development Services Committee; and

Report CNCL-19-23 and related By-law 13-2019." Carried

Correspondence

CNCL-19-22 Oshawa Port Authority Advising it does not Agree to Stay the Notice Pursuant to the Harbour Road Extension Agreement

Recommendation (Carried – See Page 98)

That Correspondence CNCL-19-22 dated February 12, 2019 from Donna Taylor, C.E.O. and Harbourmaster, Oshawa Port Authority advising that it does not agree to stay the notice dated September 26, 2019 pursuant to the Harbour Road Extension Agreement be received for information.

Adoption of Council Minutes

That the minutes of the City Council meetings held on January 22, January 25, January 28 and February 1, 2019 be adopted. (Carried – See Page 98)

Standing Committee Reports

Report of the Community Services Committee

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

CS-19-08 Oshawa Creek Trail Extension Adjacent to the Airport

Recommendation (Carried – See Page 98)

That Report CS-19-08 dated January 16, 2019 concerning the Airport Trail Development Project as part of the extension of the Oshawa Creek Trail be received for information.

CS-19-15 100th Anniversary of Oshawa in 2024

Recommendation (Amended – See Page 105)

1. That Report CS-19-15 dated February 6, 2019 be received for information; and,
2. That City staff create a framework for a Citizen/Community Centennial Committee; and,
3. That City staff begin an application process to convene a Citizen/Community Centennial Committee to assist City staff in developing a program of initiatives for Oshawa's 100th Anniversary in 2024; and,
4. That Oshawa City Council approve in principle the Plan, Timeline and Milestones outlined in section 5.4 of this Report.

CS-19-20 Installation of Street Light at Winchester Road and Given Road

Recommendation (Referred – See Page 105)

That a street light be installed at the intersection of Winchester Road and Given Road.

Report of the Corporate Services Committee

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

CORP-19-16 Removal of Watermarks on Confidential Material

Recommendation (Carried – See Page 106)

That City Council Referral CORP-19-16 concerning the removal of watermarks on confidential material be received for information.

CORP-19-17 Information Trail on the Purchase of 199 Wentworth Street East

Recommendation (Carried – See Page 98)

That the full information trail on the purchase of 199 Wentworth Street East provided to previous Council, including all legal reports, opinions, appraisals and confidential reports be provided to current members of Council upon their written request.

CORP-19-11 Review of Durham Region's Proposed Updated Smoke-Free By-law

Recommendation (Carried – See Page 98)

1. That Council forward a copy of Report CORP-19-11 "Review of Durham Region's Proposed Updated Smoke-Free By-law" providing the City's comments on the Region's Proposed Updated Smoke-Free By-law to the Region for consideration; and,
2. That should the Region's Proposed Updated Smoke-Free By-law be approved:
 - a) That the City support the Region's efforts by collaborating on communicating the applicable regulatory changes to the public; and,
 - b) That City of Oshawa No Smoking By-law 92-2010 be repealed.

CORP-19-13 Municipal Freedom of Information and Protection of Privacy Act Overview and Status Report concerning Freedom of Information Requests

Recommendation (Carried – See Page 98)

That Report CORP-19-13 concerning an overview of the Municipal Freedom of Information and Protection of Privacy Act, a status report related to the 2018 Freedom of Information requests and update on the Freedom of Information requests related to the purchase of 199 Wentworth Street East be received for information

Report of the Development Services Committee

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

DS-19-22 Third Report of Heritage Oshawa

Recommendation (Carried – See Page 98)

That Item DS-19-22 being the Third report of Heritage Oshawa regarding Windfields Farm Legacy Working Group Report be endorsed:

1. Windfields Farm Legacy Working Group Report (HTG-19-16)

Whereas on February 22, 2016 City Council approved the Windfields Farm Legacy Plan; and,

Whereas one of the action items assigned to Heritage Oshawa is to run a Grade 8 essay contest; and,

Whereas it is appropriate to open up the contest to other mediums in addition to essays, such as multimedia, videos, displays and models; and,

Whereas as a result of consulting with the Durham District School Board opening up the contest to other mediums will likely be of more interest of Grade 8 students and therefore they may be more likely to participate in the contest;

Therefore be it resolved that the Grade 8 contest under the Windfields Farm Legacy Plan be expanded to allow other mediums such as multimedia videos, displays and models.

DS-19-18 Request for Property Access Agreement for Durham Region Transit Service at 1661 Harmony Road North (Delpark Homes Centre)

Recommendation (Carried – See Page 98)

Whereas, the City of Oshawa owns the subject property at 1661 Harmony Road North (Delpark Homes Centre); and,

Whereas, the Durham Region Works Department has requested that the City approve and execute a Property Access Agreement to continue to allow the Durham Region Transit Commission (D.R.T.) to provide transit service (Bus Route 405) on the subject property; and,

Whereas it is standard practice for the Region to have Property Access Agreements to provide transit services on such properties; and,

Whereas, the Property Access Agreement would allow D.R.T. to continue to utilize and access the interior driveway network and a designated transit stop location on the subject property on a non-exclusive basis for the provision of public transit services, and would facilitate their maintenance and repair of any transit-related infrastructure such as signs, bus shelters etc.; and,

Whereas, any transit service on the subject property must be in a safe location/route acceptable to City staff and D.R.T. staff; and,

Whereas, D.R.T.'s existing Bus Route 405 and associated transit stop on the subject property provides an essential service to the residents of Oshawa and users of the Delpark Homes Centre by connecting them to a premier City recreation and community facility via public transit; and,

Whereas, City staff have no objections to the request for a Property Access Agreement at 1661 Harmony Road North to reflect D.R.T.'s use of the subject property for public transit services, provided the form and content of the Agreement is satisfactory to the Commissioner, Development Services Department and Legal Services; and,

Whereas, Legal Services has advised that D.R.T. is a separate entity and should be party to any agreement;

Therefore be it resolved that pursuant to DS-19-18:

1. That the request by the Durham Region Works Department to obtain a Property Access Agreement to allow the Durham Region Transit to provide transit services including a dedicated transit stop located at 1661 Harmony Road North be approved; and,

2. That the Commissioner, Development Services Department be authorized to execute a Property Access Agreement with the Region of Durham and the Durham Region Transit subject to the Agreement being in a form and content satisfactory to the Commissioner, Development Services Department and Legal Services.

DS-19-24 Continued Discussions with Oshawa Port Authority for Cooperation and Collaboration

Recommendation (Amended – See Page 106)

That the Mayor and staff continue with discussions with the Oshawa Port Authority (O.P.A.) to forward and enhance the cooperation and collaboration between the City and the O.P.A. including, but not limited to:

- a) The use of lands on the west wharf for industrial purposes; and,
- b) The O.P.A. partnering with the City of Oshawa in making a joint approach to the Ontario Government to seek the earliest reconstruction of the 401 interchange at Bloor/Farwell/Harmony; and to the Region of Durham to make access improvements to their portion of the interchange and adjacent roads and to upgrade Farwell Avenue to meet the needs of current users and the projected 12,000 truck movements outlined by the Port Authority in their presentation to Council

DS-19-23 Valerie Hunt - Application to Columbus Community Advisory Committee

Recommendation (Carried – See Page 98)

That notwithstanding the approved Council approved Terms of Reference for the Columbus Community Advisory Committee that sets the limit for the number of members at five that an additional member being Valerie Hunt be appointed as the sixth member of the Committee.

Report of the Finance Committee

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

FIN-19-11 Annual Investment Report

Recommendation (Carried – See Page 98)

That Report FIN-19-11 dated February 6, 2019 concerning the 2018 annual investment activity be received for information.

FIN-19-12 2018 External Audit Service Plan

Recommendation (Carried – See Page 98)

That Report FIN-19-12 dated February 6, 2019 concerning the 2018 External Audit Service Plan be received for information.

Staff Reports/Motions**CNCL-19-23 Implementing By-law required by the Office of the Registrar General for Civil Marriage Solemnization Services Performed by the City of Oshawa**

Recommendation (Carried – See Page 107)

Whereas Ontario Regulation 285/04 provides for the authorization of the City Clerk to solemnize marriages with the authority of a marriage licence; and,

Whereas, on April 9, 2018, Council adopted the recommendations of Report CORP-18-16, authorizing the implementation of civil marriage solemnization services performed by the City of Oshawa (the City) through a contracted service provider; and,

Whereas, the City undertook a competitive bidding process in keeping with By-law 45 2016 (the Purchasing By-law) and the contract for civil marriage solemnization services to be delivered on behalf of the City was awarded to Margaret (Maggie) Cavalier; and,

Whereas, on December 18, 2018, Council authorized fees associated with the civil marriage solemnization program; and,

Whereas INFO-19-04 provided an outline of how civil marriage solemnization ceremonies will be delivered in the City, with a launch of spring 2019; and,

Whereas the Office of the Registrar General requires that the City pass an implementing by-law authorizing civil marriage solemnization services by the Corporation of the City of Oshawa for their records; and,

Whereas, Section 23.3 (i) (a) of By-law 111-2017, as amended (the Procedure By-law) permits by-laws to be submitted directly to Council without requiring consideration by a Standing Committee where the purpose and intent of the by-law has been authorized by a previous Council resolution.

Therefore be it resolved, that Council adopt By-law 13-2019, being a by-law to authorize civil marriage solemnization services by the Corporation of the City of Oshawa.

By-laws

- 12-2019 A By-law to further Amend Traffic By-law 79-99, as amended
(Implements direction of January 28, 2019 through Item CS-19-06 of the Third Report of the Community Services Committee to extend the 40 km/h speed limit to the nearest cross streets along Ormond Drive from Woodmount Crescent to Birchview Drive.) (Carried – See Page 98)
- 13-2019 A By-law to authorize Civil Marriage Solemnization Services
(Implements direction of February 19, 2019 through Item CNCL-19-23 to authorize civil marriage solemnization services by the Corporation of the City of Oshawa.) (Carried – See Page 107)

Discussion Agenda**Matters Excluded From Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson,
(219) “That Council adopt the recommendation contained in Item CS-19-15 related to the 100th Anniversary of Oshawa.” Carried as amended by later vote

Moved by Councillor McConkey, seconded by Councillor Neal,
(220) “That the motion be amended to add: ‘and that the timeline be altered to provide the advertisement, selection and meetings be advanced to ultimately provide for the 100th Anniversary Committee to begin meeting in early 2020.’” Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter.

Negative – None

Absent – None

The vote to adopt the motion Carried as amended.

Moved by Councillor Chapman, seconded by Councillor Kerr,
(221) “That Item CS-19-20 concerning the installation of streetlight at Winchester Road and Given Road be referred to staff for a report on the details of the project, costs and account that funds are to be taken from and that the report come to the April 1, 2019 Community Services Committee Meeting.” Carried on the following

Affirmative – Councillors Chapman, Giberson, Hurst, Kerr, Marks and Mayor Carter

Negative – Councillors Gray, Marimpietri, McConkey, Neal and Nicholson

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,
(222) "That Council adopt the recommendation contained in Item CORP-19-16 concerning the watermarking of confidential material." Carried by later vote

Moved by Councillor McConkey, seconded by Councillor Neal,
"That staff be directed to report to the Corporate Services Committee regarding the City's Watermark policy and provide background and a review of comparators municipalities and to ensure the City's current practice conforms with the City's lean leadership principles with respect to value for cost eliminate waste and inefficiencies." Ruled out of order by the Chair

Moved by Councillor McConkey, seconded by Councillor Neal,
"That CORP-19-16 be referred to the Corporate Services Committee regarding the City's Watermark policy and provide background and a review of comparators municipalities and to ensure the City's current practice conforms with the City's lean leadership principles with respect to value for cost eliminate waste and inefficiencies." Lost on the following vote

Affirmative – Councillors Marimpietri, McConkey and Neal

Negative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marks, Nicholson and Mayor Carter

Absent – None

The vote to adopt the recommendation contained in Item CORP-19-16 Carried.

Moved by Councillor Chapman, seconded by Councillor Giberson,
(223) "That Council adopt the recommendation contained in Item DS-19-24 concerning continued discussions with the Oshawa Port Authority for cooperation and collaboration." Carried as amended by later votes

Moved by Councillor Nicholson, seconded by Councillor Neal,
(224) "That Part a) of the motion be amended to add the words 'phase out of the' between the words 'the' and 'use'." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Moved by Councillor Chapman, seconded by Councillor Nicholson,
(225) "That the motion be further amended to add: 'That Correspondence CNCL-19-25 from the Oshawa Port Authority requesting a response to the Harbour Road Extension Agreement by 4:00 p.m. on February 21, 2019 be received for information.'." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Hurst, Kerr, Marimpietri, McConkey, Neal, Nicholson and Mayor Carter

Negative – Councillors Gray and Marks

Absent – None

The vote to adopt the recommendation contained in Item DS-19-24 Carried as amended.

Moved by Councillor Chapman, seconded by Councillor Giberson, (226) “That Council adopt the recommendation contained in Report CNCL-19-23 and related By-law 13-2019 concerning civil marriage ceremonies.” Carried by later vote

Moved by Councillor McConkey, seconded by Councillor Marks, “That the marriage services fee paid to the City be non-refundable and that a fee be charged for cancellations and this policy be included in the program description.” Withdrawn

The vote to adopt the recommendation contained in Report CNCL-19-23 and related By-law 13-2019 Carried on the following

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Matters Tabled

No matters were lifted from the table.

Notices of Motion

Councillor Kerr provided the following notice of motion:

“Whereas Report CS-19-01 Rotary Pool and Park Feasibility Study was presented to the Community Services Committee on January 7, 2019; and,

Whereas Report CS-19-01 concerning the Rotary Pool and Park feasibility was referred to staff to coordinate a tour of Rotary Pool and Park and any other facilities that include splash pads; and,

Whereas the Rotary Pool tour took place on Monday January 14, 2019; and,

Whereas staff require direction on the Rotary Pool and Park Feasibility Study;

Therefore be it resolved that staff operate Rotary Pool for the summer of 2019 as usual and provide some instructional programming and increased lane swimming opportunities and report back to Council on attendance for the 2019 summer outdoor pool season; and,

This motion be referred to the Community Services Committee.”

Councillor Giberson provided the following notice of motion:

Whereas the City of Oshawa has a cultural plan, Culture Counts: Oshawa’s Arts, Culture and Heritage Plan (Culture Counts), that was approved in February 2014; and,

Whereas 2019 marks the 5 year anniversary of the implementation of Strategic

Directions, Strategies and Action Items contained in Culture Counts that support the strengthening, creation and celebration of cultural development initiatives, spaces and organizations in Oshawa; and,

Whereas in 2016 Recreation and Culture Services submitted a 2 year Progress Report (CS-17-22) that detailed the accomplishments between 2014 – 2016 and outlined upcoming priorities at that time; and,

Whereas since that time many additional Action Items have been completed; and,

Whereas in 2019 the Recreation and Culture Services Branch will aim to acquire Canada Cultural Spaces Grant funding to match Oshawa City Council capital funding that would allow a study to be initiated in 2019 that would address the Culture Counts action item of conducting a “feasibility study on converting the Arts Resource Centre into a cultural hub”; and,

Whereas a feasibility study of this kind would involve extensive stakeholder input and public consultation as well as research in best practices and standards for cultural hubs; and,

Whereas the results of this feasibility study would make recommendations for the City of Oshawa on how to proceed with future use, program and facility needs for the Arts Resource Centre and that these recommendations would directly impact future priorities and action related to Culture Counts; and,

Whereas a review of Culture Counts, in collaboration with the Cultural Leadership Council, Public Art Task Force and input from the public, would also assess other action items and the implementation progress of Culture Counts;

Therefore be it resolved that following the acquisition of Cultural Spaces Funding, if successful, and the subsequent completion of the feasibility study, that the Recreation and Culture Services branch undertake a review of Culture Counts and submit to Community Services Committee a Progress Report outlining the achievements of the past 5 years and that this Progress Report will also define new initiatives and upcoming priorities; and,

This motion be referred to the Community Services Committee.

Councillor McConkey provided the following two notices of motion:

“Whereas the Provincial Policy Statement encourages the conservation of significant built heritage resources and significant cultural heritage landscapes; and,

Whereas 100 Simcoe St. S., Oshawa, known as the Oshawa Power & Utilities Corporation (O.P.U.C.) office building, legally described as Plan H50004 Blk G Lot 7, located at the northwest corner of Simcoe St. S. and Metcalf Street is owned by the City of Oshawa; and,

Whereas in 2008 Heritage Oshawa identified the O.P.U.C. building as a significant heritage resource in the City of Oshawa for Architectural, Contextual and Historical reasons; and,

Whereas Heritage Oshawa indicated that the O.P.U.C. building was designed in the Art Deco style by architect Charles C. Stenhouse in 1931 for the Oshawa Public Utilities Commission and the building continues to be a landmark and a cornerstone to the downtown on the edge of Memorial Park; and,

Whereas through the City's 2008 Report DS-08-95 it was recommended that the property be placed, in the Register of Properties of Cultural Heritage Value or Interest; and,

Whereas in the decade since, the property has remained on the Register of Properties of Cultural Heritage Value or Interest;

Therefore, Council makes a request for the heritage designation of 100 Simcoe Street South and this motion be sent to Heritage Oshawa to review and initiate the appropriate steps; and,

This motion be referred to the Development Services Committee."

and

Whereas there is a once-in-a-century opportunity to turn a negative news story into a tremendously exciting and positive one;

Whereas General Motors's recent dramatic, and seemingly irreversible, decision to cease operations in Oshawa is, undeniably, a blow to our City;

Whereas in addition to the many significant economic and psychological repercussions it unfortunately will leave in its wake, there is a spiraling negative impact on the reputation of General Motors, both in Oshawa and across Canada;

Whereas there is a way to lessen the devastating impact of this unforeseen situation;

Whereas in 2024 the City of Oshawa will be celebrating its Centennial and will be seeking considerable financial support from various sources including the corporate sector;

Therefore be it resolved, notwithstanding the City of Oshawa's concerted efforts to have General Motors reverse its decision to close production in Oshawa, that General Motors be asked to make a significant, bold, and lasting contribution, specifically its headquarters facility and lands on Colonel Sam Drive, to honor the City's Centennial and the birthplace of General Motors in Canada over 100 years ago.

Considering the more than century-long relationship between General Motors and the City of Oshawa and its residents, and substantial 2009 financial support to General Motors from the Canadian and Provincial governments, this donation is entirely appropriate.

It is a gift that will become an enduring legacy, one that can be put to superb use as a specialized Health Care Facility and Wellness Hub, serving not only the Oshawa community and the Region of Durham but the Province of Ontario and all of Canada.

It should be noted that General Motors' contribution would be a charitable donation with a business tax deduction; and,

This motion be referred to the Development Services Committee.

Confirming By-Law

Moved by Councillor Chapman, seconded by Councillor Giberson,
(227) "That the confirming By-law be passed." Carried

14-2019 A by-law to confirm the City Council meeting of February 19, 2019.

Adjourn

Moved by Councillor Marimpietri, seconded by Councillor Nicholson,
(228) "That the meeting adjourn." Carried

The meeting adjourned at 9:29 p.m.