



## **City Council Meeting**

**May 21, 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](mailto: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](http://www.oshawa.ca).

For inquiries about this agenda please contact City Clerk Services at 905-436-3311 or by email at [clerks@oshawa.ca](mailto: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.)**

### **Declarations of Pecuniary Interest**

(As may be presented by Council Members)

### **Additional Closed Items**

(As may be presented at the meeting)

## **Closed Consent Agenda**

That all items listed under the heading of Closed Consent Agenda for the City Council meeting dated May 21, 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**

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

DS-19-80	Request for an Agreement to Permit an Encroachment on City <u>Owned Open Space</u>
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Closed Pursuant to Section 239 (2)(c) of the Municipal Act

(See Page C107 to C125)

Recommendation

That, pursuant to Report DS-19-80 dated May 1, 2019, City staff be directed to advance Option 1 as set out in Section 5.4.1 of

Report DS-19-80 as the City's response to the request for an encroachment agreement on part of the City-owned open space.

### **Report of the Finance Committee**

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

**FIN-19-38                      Oshawa Generals Correspondence Request (FIN-19-28)**

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

(See Pages C17 to C21)

Recommendation

That the recommendations as set out in Section 5 of Report FIN-19-38 dated May 8, 2019 concerning a request from the Oshawa Generals be adopted; and,

That recommendations 5.1 to 5.5 be included in the Council agenda and released publically upon adoption.

### **Closed Staff Reports/Motions**

**CNCL-19-42                      Notice of Application**

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

(See Page C1 to C75)

Recommendation

That Council authorize City staff to proceed as recommended in Section 5.6 of Report CNCL-19-42 dated May 15, 2019.

## **Discussion Agenda**

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

None

### **Items Requiring Action**

None

## **Presentations**

None

## **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**

Mayor Carter to recognize the Oshawa Ringette U12P, U16A and U19A teams for their respective successes in the Ontario Ringette Provincial Championships.

Mayor Carter to present the proclamation to Public Works staff proclaiming May 19 to May 25, 2019 as 'National Public Works Week'.

Mayor Carter to present the proclamation to Building Services staff proclaiming May 2019 as 'Building Safety Month'.

Recreation and Culture Services staff to present Council with the Festivals and Events Ontario 'Top 100 Festivals & Events in Ontario Award' for the seventh consecutive year for the City's Peony Festival.

## Delegations

Wayne Samms requesting to address City Council to request that the by-law complaint process be amended to permit anonymous complaints.

Jeff Davis requesting to address City Council to request that Council adopt a motion to not permit a Consumption and Treatment Services Site at any location in Oshawa.

Dave Thompson requesting to address City Council concerning a Consumption and Treatment Services site in Oshawa.

Fitz Matheson requesting to address City Council concerning a Consumption and Treatment Services site in Oshawa.

Kathy Cumming requesting to address City Council concerning a Consumption and Treatment Services site in Oshawa.

Emilio Zingone requesting to address City Council concerning Item 1 of DS-19-76 being the Sixth Report of Heritage Oshawa regarding 344 Thornton Road North.

## Matters Requiring Direction

### Correspondence Requiring Action

#### CNCL-19-43

Jeff Davis requesting Council Adopt a Motion to Not Permit a Consumption and Treatment Services Site at Any Location in Oshawa

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(See Pages 1 to 3)

### 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 May 21, 2019 be adopted as recommended.

### Correspondence

#### CNCL-19-44

J. J. McGuire Noise By-law Exemption Request – Bartlett Retirement Residence at 550 Bond Street West

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(See Page 4)

Recommendation

Whereas J. J. McGuire has scheduled construction activities involving the construction of a new five (5) storey, one-hundred and

twenty-nine (129) unit independent retirement living building at 550 Bond Street West; and,

Whereas construction activities are scheduled for the period of May 8, 2019 until September 30, 2019; and,

Whereas in an effort to meet construction timelines J. J. McGuire has identified a need to start construction work at 6:00 a.m. on Monday through to Friday during the noted construction period to hoist and unload materials with a crane beginning and to undertake the finishing of concrete slabs that may continue until 11:00 p.m. on Wednesday and Friday nights; and,

Whereas it is anticipated that the construction work may generate noise disturbances contrary to the City of Oshawa Noise By-law 112-82 in that the By-law only permits construction noise between the hours of 7:00 a.m. and 7:00 p.m. Monday to Saturday and 9:00 a.m. to 5:00 p.m. on Sundays;

Therefore be it resolved that J. J. McGuire and its employees, subcontractors and agents are exempt from the City of Oshawa Noise By-law 112-82, Monday, Tuesday and Thursday from 6:00 a.m. to 7:00 p.m. and Wednesday and Friday from 6:00 a.m. to 11:00 p.m. between May 8, 2019 and September 30, 2019, as it relates to the construction of the Bartlett Retirement Residence at 550 Bond Street West, subject to the following conditions:

- That J. J. McGuire provide advertising/notification of this project in the local media advising Oshawa residents and businesses of the project timeframe and that the project may create noise; and that notice will also be posted on the City's website and social media accounts; and,
- That J. J. McGuire deliver construction advisory notices to residential properties within 500m of the construction site that advise residents of the project timeframe and that the project may create noise; and,
- That J. J. McGuire provide the City of Oshawa with a contact number of the on-site supervisor for residents to call if they have any concerns or questions, and that the number also be in the advertisements/notices.

## **Adoption of Council Minutes**

That the minutes of the City Council meeting held on **April 29, 2019** be adopted.

## Standing Committee Reports

### Report of the Community Services Committee

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

**CS-19-69** Reverend Jeff Doucette, Enniskillen and Tyrone United Church  
Submitting Comments in Support of the Rainbow Crosswalk  
Initiative

**CS-19-70** Gail Brimbecom Submitting Comments in Support of the Rainbow  
Crosswalk Initiative

**CS-19-51** P.F.L.A.G. Canada Durham Region – Requesting the City Paint a  
Rainbow Crosswalk

(See Pages 1 to 4)

#### Recommendation

That Correspondence CS-19-69 from Reverend Jeff Doucette, Enniskillen and Tyrone United Church, CS-19-70 from Gail Brimbecom and CS-19-51 from P.F.L.A.G. Canada Durham Region requesting the City paint a rainbow crosswalk be referred to staff to provide recommendations and information on workable options for a rainbow crosswalk in Oshawa with inclusion of comments from the Diversity and Inclusion Officer.

**CS-19-71** Kevin Fenlon – Requesting the 2-way Stop be Replaced with a  
4-way Stop at Parkridge Drive and Arborwood Drive

(See Page 5)

#### Recommendation

That the 2-way stop be replaced with a 4-way stop at Parkridge Drive and Arborwood Drive.

**CS-19-52** Reducing Litter and Waste Discussion Paper

#### Recommendation

That the City of Oshawa include, as a special addition and extension to the downtown street furniture program, the installation of two waste receptacles on both sides of Simcoe Street South at the gateway to the downtown, between John Street and Gibb Street; and,



That notwithstanding the Business Improvement Area (B.I.A.) boundaries staff install additional waste receptacles on Simcoe Street between John Street and Gibb Street; and,

That this does not expand B.I.A. boundaries.

CS-19-67      Speed Limit on Ormond Drive between Woodmount Ave and Coldstream Drive

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Recommendation

That the speed limit on Ormond Drive between Woodmount Avenue and Coldstream Drive in Oshawa's Ward 1 be reduced to 40 km/h; and,

That the Durham Regional Police Service enforce the 40 km/h between Woodmount Avenue and Coldstream Drive.

CS-19-68      Traffic and Safety Concerns on Brentwood Avenue

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Recommendation

That staff report back with potential solutions regarding ongoing traffic and safety concerns from the residents of Brentwood Avenue.

**CS-19-65**      Corporate Fleet Acquisition Life Cycle Policy: Passenger Vehicles

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(See Pages 6 to 8)

Recommendation

That Report CS-19-65 concerning the Passenger Vehicle Lifecycle Analysis update dated May 10, 2019 be received for information.

CS-19-66      Traffic and Safety Concerns on Aberdeen Street

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Recommendation

That staff report back with potential solutions regarding ongoing traffic and safety concerns from the residents of Aberdeen Street.

CS-19-72      Dead Trees in Conlin Woods Park

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Recommendation

That staff investigate and address the issue of dead trees in Conlin Woods Park.

CS-19-73                      Speeding Concerns on Riverside Drive, South of King Street

Recommendation

That staff investigate speeding concerns on Riverside Drive, south of King Street and report back on all possible solutions.

**Report of the Corporate Services Committee**

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

CORP-19-50                      Changes to the City's Online Calendar of Council and Committee Meetings concerning Public meetings

Recommendation

Whereas the 6:30 p.m., April 15, 2019 Public Meeting is not listed with a separate link on the City's website calendar for April 15, 2019; and,

Whereas on April 11, 2019, the City announced it had initiated a new consolidated subscription website and that is now mentioned in the corporate communication media release 'easier to subscribe to receive email updates on City news categories and notifications of meetings and events' and that there is 'no need to go searching to stay in the loop; let the City of Oshawa information come to you';

Therefore be it resolved that the City's calendar of Council and Committee meetings include a separate link for all Public Meetings.

CORP-19-52                      Photos and Videos in the Council Chamber

Recommendation

That the City give notice to attendees in the Oshawa Council Chamber, Committee Meeting Room and on the City's website that:

- i. All who enter City Hall are recorded on the City's security cameras;
- ii. All who attend meetings in the Council Chamber and Committee Meeting room do so voluntarily and their picture may be taken by their presence; and,
- iii. This is a good practice implemented in many public venues.

**CORP-19-51**

**Region of Durham Seeking Approval of the New Regional  
Smoke-Free By-law**

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(See Pages 1 to 8)

**Recommendation**

1. That in accordance with Correspondence CORP-19-51 dated April 26, 2019 from Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, Council consent to the passing of the new Regional Smoke-Free By law regulating smoking and vaping in public places and the workplace with the following amendment:
  - That the By-law be amended to clarify that signage requirements are required for public places and public parks; and,
2. That following the passage of the Regional Smoke-Free By-law with the above amendment, City of Oshawa 'No Smoking' By-law 92-2010 be repealed; and,
3. That the Province be requested to amend its legislation and regulations to allow municipalities to regulate the public roadway as part of the by-law.

**CORP-19-38**

**Enforcement and Inspection Processes Audit**

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(See Pages 9 to 48)

**Recommendation**

1. That the recommendations and management responses in the KPMG audit be endorsed as the general basis for implementing improvements to enforcement and inspection processes; and,
2. That the following recommendation be received for information: 'That staff engage in a fulsome evaluation of the recommendations on page 8 of said Report to combine inspection and enforcement activity and the feasibility of moving fire inspection over to Building Permit and Inspection Services.'

CORP-19-46      Permission to Light Firecrackers to Celebrate Diwali Function

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Recommendation

1. That based on Report CORP-19-46 concerning permission to light firecrackers to celebrate Diwali Function, Municipal Law Enforcement not enforce the Fireworks By-law as it pertains to Diwali celebrations; and,
2. That appropriate amendments be brought forward through the committee process to include Diwali as an approved celebration.

**CORP-19-49**      Exceptional Student Award 2019

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Recommendation

1. That in accordance with Report CORP-19-49, the 2019 Exceptional Student Achievement Award in the amount of \$1,000 be awarded to the student from Monsignor Paul Dwyer Catholic High School; and,
2. The award be presented at the June 24, 2019 Council meeting.

CORP-19-54      Council Education Session Concerning Service Oshawa

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Recommendation

That an Education Session be set up for Council to discuss expectations for Service Oshawa.

CORP-19-53      Trail Clean up and Enforcement

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Recommendation

That staff report on the trail clean up and enforcement including actions taken to date, costs and potential fire hazards.

## Report of the Development Services Committee

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

DS-19-76

Sixth Report of Heritage Oshawa

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### Recommendation

That Item 1 of the Sixth report of Heritage Oshawa concerning 344 Thornton Road North be received for information:

1. Correspondence submitted by Ihor George Lysyk on behalf of Owen Brash and Ethel Larocque related to Item 1 of DS-19-76, the Sixth Report of Heritage Oshawa concerning 344 Thornton Road North (DS-19-84)

344 Thornton Road North, Request for Comment on Proposed Demolition (HTG-19-45)

Whereas Heritage Oshawa opposes the demolition of the home and surrounding trees at 344 Thornton Road North, as the property has significant heritage value, and recommends and supports adaptive reuse of the property and grounds that preserve the heritage attributes; and,

Whereas Heritage Oshawa has a research report on 344 Thornton Road North, a Class A property in the Inventory; and,

Whereas 344 Thornton Road North, built in 1840, is one of the oldest homes in Oshawa; and,

Whereas 344 Thornton Road North has design and physical value as a well-preserved Gothic-style home, with characteristic gable roof, and twelve-paned wood-framed windows. The home can be distinguished from other Oshawa properties of its era in that it is not a traditional farmhouse style, having a door on the north side with elaborate wood moulding and both a lintel and hood, as well as eighteen-paned wood-framed windows on the east façade; and,

Whereas 344 Thornton Road North has physical value as it is surrounded by mature trees of an age, girth and height that is rare in Oshawa, and,

Whereas 344 Thornton Road North has associative value as the home of generations of the same Cooper and French family since 1877; and,

Whereas 344 Thornton Road North has contextual value as it was home to a succession of business people and public servants, including Jesse Starr, who contributed to the development of Oshawa in the 1800s; and,

Whereas the Heritage Oshawa Advisory Committee Mandate states: "Cultural heritage resources enhance the quality of life for Oshawa citizens by providing a connection to the community's past and creating a sense of place. These historical buildings and landscapes add an economic benefit to the city while contributing to making Oshawa a beautiful place to live"; and,

Whereas Heritage Designation recognizes the importance of a property to the local community, protects the property's cultural heritage value, encourages good stewardship and conservation, and promotes knowledge and understanding about the property; and,

Whereas the advantages of Heritage Designation include:

- Conserving irreplaceable, highly visible resources;
- Recognizing community identity and contributing to the local quality of life;
- Qualifying the property owner for tax credits (when available);
- Acknowledging Oshawa's architectural past;
- Contributing to the local quality of life;
- Benefitting economic sectors, including tourism;
- Promoting sound conservation practices; and,
- Encouraging pride in the history and cultural heritage resources of the community; and,

Whereas designation is protective of only those heritage attributes specified in the Designation Bylaw; therefore owners of Designated Properties are free to make alterations to those aspects of their property that are not listed as heritage attributes in the property's Designation By-law (most often the interiors); and,

Whereas owners of Designated Properties are not prohibited from undertaking alterations that affect the listed heritage attributes, but only require written approval from City Council; and,

Whereas owners of Designated Properties do not require Council approval for minor alterations or regular maintenance to a Designated Property, including choice of paint colour; and,

Whereas owners of Designated Properties are not:

- required to restore the property to its original condition;
- required to open their property to the public;
- expected to incur expenses beyond those of any other responsible property owner;

Therefore, be it resolved that 344 Thornton Road North be designated as a property of cultural heritage significance under the Ontario Heritage Act.

2. Correspondence from Jacqueline Villeneuve – Designation of 425 Simcoe Street North (**DS-19-81**)

Designation of 425 Simcoe Street North (HTG-19-45)

Whereas Heritage Oshawa was approached by the owners requesting the designation of 425 Simcoe Street North; and,

Whereas 425 Simcoe Street North is a Class B property in the Inventory and considerable research has been done on the history of 425 Simcoe Street North and Oshawa has received copies of these research materials; and,

Whereas 425 Simcoe Street North, built in 1919, has design and physical value as a highly unusual example of a Georgian Revival with an asymmetrical front entrance with

columned portico, and preserves the original pebbledash exterior, windows and pressed cement walkway; and,

Whereas 425 Simcoe Street North has associative value as the home of several prominent Oshawa families that played a significant role in the economic development of Oshawa, such as executives from General Motors and the Canadian Bank of Commerce and a teacher from O'Neill Collegiate; and,

Whereas 425 Simcoe Street North has contextual value as one of the first homes built as part of a streetscape on Simcoe Street North consisting of many well-maintained homes built around 1920 that reflect not only origins in a time of prosperity and economic expansion in Oshawa but pride and prosperity that has continued until today; and,

Whereas Heritage Oshawa's mandate states 'cultural heritage resources enhance the quality of life for Oshawa citizens by providing a connection to the community's past and creating a sense of place. These historical buildings and landscapes add an economic benefit to the city while contributing to making Oshawa a beautiful place to live'; and,

Whereas the advantages of Heritage Designation include:

- Conserving irreplaceable, highly visible resources;
- Recognizing community identity and contributing to the local quality of life;
- Qualifying the property owner for tax credits (when available);
- Acknowledging Oshawa's architectural past;
- Contributing to the local quality of life;
- Benefitting economic sectors, including tourism;
- Encouraging pride in the history and cultural heritage resources of the community;

Therefore be it resolved that 425 Simcoe Street North including the house be designated as a property of cultural heritage significance under the Ontario Heritage Act.



**DS-19-70****Proposed Designation Pursuant to Ontario Heritage Act:  
46 Riverside Drive North**

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(See Pages 3 to 33)

**Recommendation**

That, pursuant to Report DS-19-70 dated May 1, 2019, Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 46 Riverside Drive North as a property of cultural heritage value or interest under the Ontario Heritage Act by undertaking actions such as the following:

- a) Prepare a Notice of Intention to Designate the property located at 46 Riverside Drive North under the Ontario Heritage Act which will generally include the Designation Statement and Description which forms Attachment 4 to DS-19-70, which has received input from Heritage Oshawa and the owner; and,
- b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers; and,
- 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 generally include the Designation Statement and Description which forms Attachment 4 to Report DS-19-70, which has received input from Heritage Oshawa and the owner for subsequent consideration by Council.

**DS-19-71****Proposed Designation Pursuant to Ontario Heritage Act: 300 Ritson Road South (Former Ritson Public School)**

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(See Pages 34 to 70)

**Recommendation**

That, pursuant to Report DS-19-71 dated May 1, 2019, Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 300 Ritson Road South as a property of cultural heritage value or interest under the Ontario Heritage Act by undertaking actions such as the following:

- a) Prepare a Notice of Intention to Designate the property located at 300 Ritson Road South under the Ontario Heritage Act which will generally include the Designation Statement and Description which forms Attachment 4 to DS-19-71, which has received input from Heritage Oshawa and the owner; and,
- b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers; and,
- 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 generally include the Designation Statement and Description which forms Attachment 4 to DS-19-71, which has received input from Heritage Oshawa and the owner, for subsequent consideration by Council.

**DS-19-72**

Recommended City-Initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 for part of the Northwood Business Park

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(See Pages 71 to 93)

Recommendation

- 1. That the recommended City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94, for part of the Northwood Business Park as generally set out in Report DS-19-72 dated May 1, 2019 be approved and that the appropriate amendment by-laws be passed in a form and content acceptable to the City Solicitor and City Manager; and,
- 2. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that certain City-initiated Amendments proposed in the public meeting report at the public meeting differs from that approved by City Council, such differences are not substantial enough to require further notice and another public meeting; and,
- 3. That in accordance with Report DS-19-72, the Northwood Industrial Park Concept Plan dated April 16, 1992, as amended, be rescinded.

**DS-19-77**

**City Comments on the Region of Durham's Agriculture & Rural System Discussion Paper for Envision Durham**

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(See Pages 94 to 102)

**Recommendation**

1. That Report DS-19-77 dated May 1, 2019, be endorsed as the City's comments on the Agriculture & Rural System Discussion Paper prepared by the Region of Durham as part of Envision Durham, the Municipal Comprehensive Review of the Durham Regional Official Plan; and,
2. That staff be authorized to forward a copy of Report DS-19-77 dated May 1, 2019 and the related Council resolution to the Region of Durham and Durham area municipalities.

**DS-19-83**

**Heritage Designation of 500 Howard Street, former Ontario Malleable Iron Building (HTG-19-22 – Item 9)**

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**Recommendation**

Whereas on February 28, 2019 Heritage Oshawa made a recommendation (HTG-19-22 – Item 9) to designate 500 Howard Street, also known as the former Ontario Malleable Iron Building, under Part IV of the Ontario Heritage Act; and,

Whereas on March 25, 2019 the Development Services Committee recommended to City Council that Heritage Oshawa's February 28, 2019 recommendation (HTG-19-22 – Item 9) be received for information; and,

Whereas on April 8, 2019 City Council referred Heritage Oshawa's February 28, 2019 recommendation (HTG-19-22 – Item 9) to staff for a report; and,

Whereas staff's research into the potential designation of 500 Howard Street included contacting the Province of Ontario as the site is owned by Metrolinx, a Provincially prescribed public body under O. Reg. 157/10; and,

Whereas Provincial staff advised that 500 Howard Street, as a property owned by a Provincially prescribed public body, would be regulated by Clause 25.2(2)(a) of the Ontario Heritage Act, which states:

“(2) This Part applies to property,

(a) that is owned by the Crown in right of Ontario or by a prescribed public body;” and,

Whereas Sections 26.1(1) and 39.1.1(1) of the Ontario Heritage Act provide that Part IV and Part V of the Act do not apply to property described in clause 25.2(2)(a) of the Act; and,

Whereas pursuant the aforementioned policies in both the Ontario Heritage Act and O. Reg. 157/10, the Province has advised that 500 Howard Street cannot be designated under Part IV of the Act; and,

Whereas staff reviewed the Province’s advice with the City Solicitor; and,

Whereas the City Solicitor concurs with the Province’s assessment that 500 Howard Street cannot be designated under Part IV or Part V of the Ontario Heritage Act; and,

Whereas Metrolinx completed a Cultural Heritage Evaluation Report in November 2016 for 500 Howard Street, identifying the Ontario Malleable Iron Office Building fronting onto Howard Street as ‘Part 1’ and the remainder of the building, including the space formerly used as the Knob Hill Farms grocery store, as ‘Part 2’; and,

Whereas the November 2016 Cultural Heritage Evaluation Report for 500 Howard Street contains the following recommendation:

“Part 1 and Part 2 are deemed provincial heritage properties under OHA Regulation 9/06 for their historical and associative, and contextual value. Additionally, Part 1 has been identified as having physical value.

The evaluation of the subject property against Ontario Heritage Act Regulation 10/06 determined that Part 1 meets the criteria for designation as a provincial heritage property of provincial significance.

It both represents a theme in Ontario’s history and yields information that contributes to an understanding of Ontario’s history.

Based on this assessment, it is recommended that the property at 500 Howard Street receive identification as a Metrolinx Heritage Property.”; and,

Whereas conceptual design plans prepared by Metrolinx for the Central Oshawa GO Station planned at 500 Howard Street have consistently shown the preservation of the western portion of the former Ontario Malleable Iron Office Building in situ on the site; and,

Whereas in view of the foregoing, it is evident that Metrolinx is fully aware of the cultural heritage value of 500 Howard Street, and any further effort by the City to recognize the heritage value of the property through designation under the Ontario Heritage Act is not possible under the provisions of the Act;

Therefore be it resolved that DS-19-83 regarding Heritage Designation of 500 Howard Street, former Ontario Malleable Iron Building (HTG-19-22 –Item 9) be received for information.

DS-19-85

Flood and Erosion Control and Natural Hazard Prevention

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Recommendation

Whereas Conservation Authorities in Ontario deliver programs to protect people and property from flooding and erosion by real-time flood forecasting, issuing flood watches and warnings, monitoring stream flows, preparing floodplain mapping, regulating development activities in flood plains, providing natural hazard advice to municipalities, developing watershed plans, and educating the public about flooding and protecting natural cover that helps reduce the impacts of flooding; and,

Whereas we are experiencing more severe and more frequent weather events impacting our communities; and,

Whereas the Ontario Government's 'Made – in – Ontario Environment Plan' identifies protecting people, property and natural resources from the threats and impacts of extreme weather and flooding as part of the "core mandate" of conservation authorities; and,

Whereas in 1996 the total provincial Transfer Payment to all of Ontario's conservation authorities for Flood and Erosion Control and Natural Hazard Prevention was reduced from \$50-million to \$7.4 million, and conservation authorities share of this payment has remained static since 1996; and,

Whereas the recent Provincial budget has further reduced the provincial Transfer Payments to all of Ontario's conservation authorities for Flood and Erosion Control and Natural Hazard Prevention funding for conservation authorities by 50%;

1. Therefore be it resolved that the Council of the City of Oshawa objects to the cutback to the provincial Transfer Payment to Ontario's conservation authorities for Flood and Erosion Control and Natural Hazard Prevention and asks the Government of Ontario to:
  - Reinststate the full funding for the 2019-2020 fiscal year; and,
  - Consult directly with Conservation Authorities, Conservation Ontario and Association of Municipalities of Ontario with respect to future funding and delivery of natural hazard programing; and,
2. That this motion be circulated to the Central Lake Ontario Conservation Authority, Conservation Ontario, the Association of Municipalities of Ontario, the Region of Durham, Durham Region Municipalities and MPPs.

DS-19-86

Reuse and Recycling of Sand from Street Cleaning

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## Recommendation

That staff investigate the reuse and recycling of sand from street cleaning; and,

That this item be referred to the Community Services Committee.

DS-19-88

Parking and Congestion on Ormond Drive

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## Recommendation

That Council support regional staff to further investigate a process that will find a way for the Region to support an entrance/exit to a parking lot for the Chartwell Seniors Residence planned for 1321 Ormond Drive to accommodate staff parking and alleviate the parking and congestion on Ormond Drive.

## **Report of the Finance Committee**

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

### **FIN-19-37**

#### Request for Proposal C2019-33 Information and Records Management Strategic Plan

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(See Page 1 to 4)

#### Recommendation

That in accordance with Report FIN-19-37 dated May 8, 2019 the Manager, Purchasing Services be authorized to negotiate a contract with The Ergo Group Inc. o/a Ergo Information Management Consulting to an upset limit of \$125,339 excluding all taxes for the provision of the development of an Information and Records Management Strategic Plan, being the highest ranked proposal received.

### **FIN-19-35**

#### Oshawa Strategic Asset Management Policy

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(See Pages 5 to 14)

#### Recommendation

That the Oshawa Strategic Asset Management Policy dated May 8, 2019, as set out in Attachment 1 to Report FIN-19-35, be endorsed.

### **FIN-19-36**

#### 2020 Budget Timetable

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(See Pages 15 to 16)

#### Recommendation

That the Presentation of the 2020 Budget be on November 8, 2019, and deliberations and consultation occur on November 22, November 29 and December 6, 2019 with the final deliberation and approval on December 13, 2019; and,

That External Agency and Partnership Grants be presented to the Finance Committee on October 28, 2019; and,

That information presented to Council be placed on the City website on the same day that Council receives it.

FIN-19-39

Street Lighting at Thornton Road and Champlain Avenue

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## Recommendation

Whereas project 76-0027 Thornton Road Street Lighting, Champlain Avenue to King Street and 76-0051 Champlain Avenue – Street lighting upgrades, Whitby/Oshawa boundary to Thornton Road South are included in the 9-year capital budget forecast in 2023 and 2025 respectively; and,

Whereas the Region has provided their work plan for 2019 which includes street lighting upgrades on Thornton Road South from Champlain Avenue to Consumers Drive extension, and Champlain Avenue from Whitby/Oshawa boundary to Thornton Road South; and,

Whereas the Region has provided an estimate of \$40,000 for new street lighting on Thornton Road South from Champlain Avenue to Consumers Drive extension, and \$40,000 for the street lighting upgrades on Champlain Avenue from Whitby/Oshawa boundary to Thornton Road South; and,

Whereas for project 76-0027 Thornton Road Street Lighting, only the portion of work between Champlain Avenue and Consumers Drive extension is being advanced to 2019, and the remaining work between Consumers Drive extension and King Street East will be budgeted in the forecast between 2024 to 2028; and,

Whereas Finance Services has confirmed that funds are available in the Transportation Roads DC and Growth Related (Non-DC) reserves to fund these projects in 2019;

Therefore, be it resolved that approximately \$80,000 (including HST) be funded from the Transportation Roads DC and Growth Related (Non-DC) reserves to advance the implementation of new street lighting at Thornton Road from Champlain Avenue to the Consumers Drive extension and street lighting upgrades at Champlain Avenue from Whitby/Oshawa boundary to Thornton Road South to be completed by the Region in 2019.



**Staff Reports/Motions****CNCL-19-45      Lakeshore East GO Rail Extension Through Central Oshawa to Bowmanville along the CP Rail Line**

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**Recommendation**

Whereas in 2011 Metrolinx completed a comprehensive and objective Environmental Assessment (E.A.) for the recommended extension of GO Train Service through Oshawa to Bowmanville; and,

Whereas the E.A. considered a number of route options and through public input concluded that the extension along the CP Rail line through Central Oshawa to Courtice and Bowmanville (with four new stations) was the preferred route for both Metrolinx and the local communities; and,

Whereas since 2011 based on the commitment of Metrolinx and the Province to advance the recommended 2011 E.A. route along the CP Rail line the City, the Region of Durham and the Municipality of Clarington have undertaken a number of actions including, but not limited to, such matters as:

- Included the recommended route and complementary land use policies in the Official Plans and zoning by-laws;
- Advanced development charges, capital expenditures and capital budgets to accommodate the extension; and
- Advanced transit considerations to service the route and proposed stations; and,

Whereas Metrolinx completed a business case in 2015 confirming the CP Rail route as recommended by the EA utilizing its internal business case criteria; and,

Whereas residents, the building and development industry and businesses have made investments in certain areas near the proposed station sites in anticipation that the extension would be implemented along the CP Rail line route; and,

Whereas on November 5, 2018 Metrolinx staff advised that it is preparing a Full Business case for GO expansion and updating the Initial Business Case for the GO Rail service extension to Bowmanville; and,

Whereas by letter dated November 29, 2018 the President and Chief Executive Office of Metrolinx advised that the Province has asked Metrolinx to assess the status of transit projects and determine the feasibility of applying a market driven approach to delivering transit infrastructure, starting with new GO Stations, including those proposed with the Lakeshore East corridor extension to Bowmanville; and,

Whereas this meant that the current delivery process for new GO Stations will be changed while Metrolinx works with the City and development partners to determine where there are opportunities for third party investment to deliver them. This review will include assessment of stations that are not yet in delivery; and,

Whereas on December 18, 2018 City Council passed a resolution requesting the newly elected Provincial government and Metrolinx to confirm their commitment to extend GO Rail service through Central Oshawa to Bowmanville along the CP Rail line and to proactively resolve all pending negotiations with CP and CN Rail; and,

Whereas at a May 2, 2019 Town Hall meeting the Metrolinx senior staff advised that it has explored four potential route options as part of an update to the original 2015 business case and that these options would be reviewed with the Region and local communities; and,

Whereas the City is concerned that other potential route options are even being considered given that the 2011 E.A. CP Rail line route was already approved and the 2015 business case was finalized; and,

Whereas the City continues to support the 2011 E.A. approved route through Central Oshawa to Bowmanville along the CP Rail line since it:

- Provides the greatest long-term community and economic development benefit;
- Supports the creation of a significant amount of jobs and increased assessment growth;
- Supports connectivity, walkability and opportunities for transit-oriented development;
- Supports development around the Central Oshawa station site to revitalize this area; and

- Supports development in the Downtown Oshawa Urban Growth Centre; and

Whereas it is important that any option other than the preferred CP Rail line route be subject to an open and transparent review process where municipal and public input can be provided before any decision is made by Metrolinx; and,

Whereas Metrolinx has proposed public meetings on the four options; and

Whereas the City is committed to continuing to work with Metrolinx and the Province to support the Lakeshore East GO Train extension through Central Oshawa to Bowmanville along the CP Rail line route;

Therefore be it resolved:

1. That Metrolinx be requested to undertake an open and transparent process to inform and obtain input from the Region of Durham, the City of Oshawa, the Municipality of Clarington and Town of Whitby, the residents, the businesses and the building and development industry and other stakeholders concerning to any potential changes to the current approved EA alignment and business case; and,
2. That Metrolinx be requested to provide information on the four potential route options and explain the criteria and metrics used to evaluate each option so that public input and input from the Region of Durham, the City of Oshawa, Municipality of Clarington and Town of Whitby can be considered and includes as part of the current process to update the business case; and,
3. That the President and CEO of Metrolinx be requested to attend a future Oshawa Council meeting to explain the potential four route options before they are submitted to the Province; and,
4. That a copy of this resolution be forwarded to the Region of Durham, the Municipality of Clarington, the Town of Whitby, all Durham MPP's, all Durham MP's, the Greater Oshawa Chamber of Commerce, the City's Building Industry Liaison Team, the Building Industry and Land Development Association (BILD), all post secondary institutions, the Durham Labour Council and the Chair and the President and CEO of Metrolinx.

## **By-laws**

None

## **Discussion Agenda**

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

### **Matters Tabled**

1. Matters related to Council's compensation and remuneration:
  - a. Council's Compensation and Remuneration be frozen for the 2018-2022 term of Council; and,
  - b. Council's Compensation and Remuneration be delinked from the City of Oshawa's Bargaining Agreements; and,
  - c. Council's retirement benefits and severance be unbundled; and,
  - d. The Compensation and Remuneration By-law be added to the next Council meeting agenda to include amendments to reflect 1, 2, and 3 above, as well as include a section to specify the times when the by-law will be formally reviewed and updated during future terms of Council; and,
  - e. To include a mechanism for community consultation as part of the review. (Tabled December 18, 2018)
2. Report DS-19-19 concerning the request from the Oshawa Port Authority to amend the 1976 Harbour Road Extension Agreement to convey a portion of the City-owned Harbour Road road allowance east of Farewell Street to the Federal Crown, "as is where is" and for a nominal amount to allow the Oshawa Port Authority to construct a driveway access rather than a City-owned collector road. (Tabled February 8, 2019)

### **Notices of Motion**

(As may be presented by Council Members)

### **Confirming By-law**

A by-law to confirm the City Council meeting of May 21, 2019.

### **Adjournment**

## **City Council Meeting – May 21, 2019**

### **Additional items distributed at the meeting**

1. **CNCL-19-46** – Correspondence from Christeen Thornton concerning safe injection sites
2. **CNCL-19-47** – Correspondence from Scott LaPlante concerning safe injection sites
3. **CNCL-19-48** – Correspondence from Emily Ternoey concerning safe injection sites
4. **CNCL-19-49** – Correspondence from Jennifer Mackey concerning safe injection sites
5. **CNCL-19-50** – Correspondence from Dani Crosby concerning safe injection sites
6. **CNCL-19-51** – Correspondence from Mike and Gloria Logan concerning the request from J.J. McGuire for an exemption from the City's Noise By-law
7. **CNCL-19-52** – Correspondence from Bob Ross in support of the designation of 344 Thornton Road North