



City Council Meeting

October 26, 2020

Electronic Meeting

Public Session – 9:30 a.m.

Closed Session – Following Public Session

Agenda

Notice to Correspondents

In accordance Council's Procedure By-law 111-2017, as amended, during the COVID-19 Pandemic Emergency and in order to maintain the Provincial guidelines regarding limiting the size of public gatherings, the Mayor or Deputy Mayor (or designate), the City Clerk, the Deputy City Clerk (or designate), City Clerk Services support staff and Information Technology Services staff will be permitted in the Council Chamber. All other Members of Council and City staff will participate electronically from their offices or an alternate private location to maintain required physical distance in accordance with Provincial orders.

In-person attendance by the public will not be permitted. The *Municipal Act, 2001* requires that, subject to the provisions in Section 239, all meetings be open in order for members of the public to observe the meetings. In order to comply with these provisions, members of the public may still view open meeting web streams online live and following the meeting as archived on the City's website.

Members of the public may request to address Council as a delegation through remote electronic access regarding an item printed on the Agenda and received by City Clerk Services a minimum of two business days prior to the meeting. Members of the public unable to meet the timeline, may submit written correspondence regarding an item on the agenda up to 2 hours prior to the meeting for Council's consideration. The Clerk will e-mail the correspondence to all members of Council.

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.

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 Tito-Dante Marimpietri (Ward 2)
Regional Councillor Bob Chapman (Ward 3)	City Councillor Bradley Marks (Ward 3)
City Councillor Derek Giberson (Ward 4)	City Councillor Rosemary McConkey (Ward 1)
City Councillor John Gray (Ward 5)	Regional Councillor John Neal (Ward 1)
City Councillor Jane Hurst (Ward 2)	Regional Councillor Brian Nicholson (Ward 5)
Regional Councillor Rick Kerr (Ward 4)	

City Council Meetings

City Council meetings are held on the following Mondays in 2020, the public session commencing at 9:30 a.m.: June 22, September 28, October 26, November 23 and December 14.

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.

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

Public Meeting (9:30 a.m.)

Additional Items

(As may be presented at the meeting)

Declarations of Pecuniary Interest

(As may be presented by Council Members)

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)

Presentations

Interim Chief of Police Todd Rollauer and Inspector Saliba, Durham Regional Police Service to provide the annual presentation concerning community safety initiatives.

Mayor Carter to present the Community Legend and Culture Counts Awards.

Delegations

None

Matters Requiring Direction

Correspondence Requiring Action

None

Items Pulled from Information Package

CNCL-20-175 Frances Scanga forwarding correspondence concerning the lease renewal for the Oshawa Bocce Club (INFO-20-198)

(See Pages 1 to 3)

[Placed on the agenda at the request of Councillor McConkey in order to be received for information. At its meeting of

June 22, 2020 City Council adopted a position regarding the lease agreement for the Bocce Club.]

CNCL-20-176

The Township of Amherstburg Requesting Support for an Extension to the Accessibility for Ontarians with Disabilities Act Website Compliance Deadline (INFO-20-194)

(See Pages 4 to 5)

[Placed on the agenda at the request of Councillor McConkey in order to be received for information.]

Public Consent Agenda

That all items listed under the heading of Public Consent Agenda for the City Council meeting dated October 26, 2020 be adopted as recommended.

Correspondence

CNCL-20-173

Kate Lee Submitting Comments in Support of Internet Voting

(See Page 6)

Recommendation

That Correspondence CNCL-20-173 dated October 6, 2020 from Kate Lee submitting comments in support of internet voting be referred to Item CORP-20-20.

CNCL-20-172

Mac Moreau, McKee and Bosma Management Inc. Requesting Council Undertake Public Consultation and use a Hybrid Approach for Changing the Method of Election

(See Pages 7 to 8)

Recommendation

That Correspondence CNCL-20-172 dated October 14, 2020 from Mac Moreau, General Manager and President, McKee and Bosma Management Inc. requesting Council undertake public consultation and use a hybrid approach for changing the method of election be referred to Item CORP-20-20.

Adoption of Council Minutes

That the minutes of the City Council meeting held on **September 28, 2020** be adopted.

Standing Committee Reports

Report of the Community Services Committee

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

CS-20-58 Proposed Pilot Project, Sidewalk Clearing in High Pedestrian Traffic Areas in Parts of the Downtown

(See Pages 3 to 7)

Recommendation

1. That Report CS-20-58 dated October 14, 2020 concerning a pilot project for snow clearing on municipal sidewalks within the Oshawa Central Business Improvement Area be referred to the 2021 budget deliberations for Council consideration; and,
2. That subject to Council budget approval for a pilot project for snow clearing on municipal sidewalks within the Oshawa Central Business Improvement Area as described in Report CS-20-58, staff report back to the Community Services Committee on the results of the pilot project.

CS-20-59 Subsidized Backyard Tree Planting Program Pilot

Recommendation

Whereas Report CS-20-21 was endorsed by Council on April 27, 2020 for a 1-year pilot program to implement a subsidized backyard tree planting program in Oshawa, which leverages additional funding from the Region of Durham; and,

Whereas a joint one year agreement was executed with the Region of Durham, participating municipalities and Local Enhancement and Appreciation of Forests (L.E.A.F.) for the implementation of the backyard tree planting program; and,

Whereas the program launched to the public on July 14, 2020 and will include tree planting this fall and next spring; and,

Whereas staff were directed to review the pilot after the first year and report back to Committee with a summary of the results and consideration in the 2021 budget to proceed for a further 5-year agreement based on the success of the pilot; and,

Whereas the interest from Oshawa residents and businesses in the program was “tree-mendous” resulting in:

- 71 applications for trees and/or shrubs has been received to date (62 full service, 8 do-it-yourself and 1 multi-unit/business program)
- as of September 28, 33 trees and 22 shrubs have been sold
- additional consultations will continue throughout the fall and into spring of next year

Whereas the level of demand exceeded the 40 trees originally allotted under that agreement and approved Operations budget of \$15,000; and,

Whereas L.E.A.F. was able to secure additional funding through a Trillium Grant and extra support from the Region to offer an additional 20 trees to accommodate the demand for the first year of the program;

Therefore, be it resolved:

1. That Item CS-20-59 dated October 19, 2020 regarding the Subsidized Backyard Tree Planting Program Pilot be received for information; and,
2. That based on the level of interest and demand in this program, that the funding amount remain at \$15,000 to be considered as part of the Parks Operations annual budget beginning in 2021; and,
3. That pending budget approval of all partner municipalities and the Region of Durham, the City enter into a five year agreement with L.E.A.F. for the implementation of the backyard tree planting program; and,
4. That the Mayor and Clerk be authorized to execute a 5-year agreement with the Region of Durham, participating municipalities and L.E.A.F. in a form and content satisfactory to the Commissioner of Community Services and the City Solicitor.

CS-20-62 Strategies for Decarbonization of the City of Oshawa's Fleet

Recommendation

Whereas the City of Oshawa has committed to carbon reduction strategies in various reports and plans;

Therefore, that staff prepare a report on the decarbonization of the City of Oshawa's fleet and include possible strategies to reaching this goal in the coming years.

Report of the Corporate Services Committee

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

CORP-20-32 Laura Suchan, Executive Director, Oshawa Museum submitting Comments Concerning Public Wi-Fi at Henry House Museum and Lakeview Park

(See Page 1)

Recommendation

Whereas the Oshawa Historical Society submitted correspondence (CORP-20-32) dated September 28, 2020 advising that they do not have adequate Wi-Fi infrastructure to allow public Wi-Fi use for staff and visitors and having appropriate Wi-Fi would support their Strategic Plan objectives and their daily operations;

Whereas the Oshawa Strategic Plan, under the Goal of Cultural Vitality, Theme Enrich our Community Through Culture, and Strategy 'work with the Community including, but not limited to, the Oshawa Historical Society to construct a new community based museum as a legacy project for the City's 100th Anniversary in 2024';

Whereas it is appropriate that Wi-Fi be considered as part of the Oshawa Community Museum Expansion project;

Therefore be it resolved:

1. That City staff continue to work with the utility companies (Oshawa Power, Bell, Rogers) to determine if public Wi-Fi can be supplied as part of the Oshawa Community Museum Expansion project; and,

2. That the Oshawa Historical Society be thanked for their correspondence

CORP-20-30

Mary Street Parking Garage – Request from Summers & Co. Developments Inc.

(See Pages 28 to 29)

Recommendation

1. That pursuant to the letter dated September 13, 2020 from Summers and Co. Developments Inc., City staff be authorized to hire a structural engineer to undertake a structural assessment Mary Street Parking Garage; and,
2. That all associated costs related to the structural assessment of the Mary Street Parking Garage shall be paid for by Summers & Co. Developments Inc. or TT7 Inc.; and,
3. That the Commissioner of Corporate Services be authorized to execute an agreement with Summers & Co. Developments Inc. or TT7 Inc. to complete a structural assessment of the Mary Street Parking Garage consistent with the terms and conditions as generally set out in the aforementioned recommendations and in a form and content satisfactory to the Commissioner of Corporate Services and the City Solicitor.

CORP-20-26

Noise By-law 112-82 and Noisy Vehicles

(See Pages 30 to 38)

Recommendation

1. That Council approve a by-law to amend Noise By-law 112-82, as amended, in a final form and content acceptable to Legal Services and the Commissioner, Corporate Services Department to establish tiered and escalating Administrative Monetary Penalties to enhance compliance with the City's standards relating to noise; and,
2. That a copy of Report CORP-20-26 "Noise By-law 112-82 and Noisy Vehicles" be forwarded to Durham Regional Police Service (D.R.P.S.) and that D.R.P.S. be thanked for advancing their enforcement initiatives related to vehicle noise standards pursuant to the Highway Traffic Act, R.S.O. 1990, c. H.8.; and,

3. That that staff review options to address noises associated with the use of engine retarder brakes on heavy vehicles and report back to the Corporate Services Committee.

CORP-20-27

Trespass By-law 98-2013 and Proposed Amendment to Authorized Person

Recommendation

Whereas the City of Oshawa's Trespass By-law 98-2013, as amended ("Trespass By-law") establishes a system for administering notices and other matters under the Trespass to Property Act, R.S.O. 1990, c. T.21; and,

Whereas the Trespass By-law authorizes the following individuals, referred to in the Trespass By-law as "Authorized Person[s]" to issue Trespass Notices: the City's security guards; certain Recreation and Culture Services Branch staff members; police officers; and Senior Staff Persons; and,

Whereas Municipal Law Enforcement Officers (M.L.E.O.s) are frequently the front line response to issues related to unlawful behaviour or activities that may warrant the issuance of a Trespass Notice; and,

Whereas it is inefficient and not a good use of time for M.L.E.O. to request that the City's security guards, Recreation and Culture Services staff, police officers or Senior Staff Persons issue the Trespass Notice on their behalf; and,

Whereas M.L.E.O.s are peace officers pursuant to the Police Services Act, R.S.O. 1990, c. P.15 trained to enforce the by-laws of the City; and,

Whereas it is appropriate to include M.L.E.O. as Authorized Persons under the Trespass By-law, to enable them to issue one (1) to three (3) day Trespass Notices when necessary;

Therefore be it resolved that Council pass a by-law to further amend Trespass By-law 98-2013, as amended, to include Municipal Law Enforcement Officers as Authorized Persons and enable Municipal Law Enforcement Officers to issue one (1) to three (3) day Trespass Notices.

CORP-20-29 Property Standards By-law 1-2002 and Heritage Properties

(See Pages 39 to 67)

Recommendation

That Council approve a by-law to amend Property Standards By-law 1-2002, as amended, in a final form and content acceptable to Legal Services and the Commissioner of Corporate Services to establish standards specific to heritage properties.

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

CORP-20-34 Modernizing Vehicle-For-Hire Standards in the City of Oshawa: Regulatory Options

1. That Council approve a consolidated Vehicle-For-Hire By-law and a by-law to repeal Taxicab Licensing By-law 50-2003, as amended, amend the General Fees and Charges By-law 13-2003, as amended, and Licensing By-law 120-2005, as amended in the form of Option "A" – Establish a new Vehicle-For-Hire By-law as detailed in Section 5.1.1 of Report CORP-20-34 "Modernizing Vehicle-For-Hire Standards in the City of Oshawa: Regulatory Options", dated October 6, 2020, and in a form and content acceptable to the Commissioner of Corporate Services and Legal Services; and,
2. That the requirements of Notice By-law 147-2007 regarding notice to the public for amendments to the General Fees and Charges By-law 13-2003, as amended, Licensing By-law 120-2005, as amended, and the passing of a licensing by-law pursuant to Section 150 of the Municipal Act, 2001 S.O. 2001, c. 25 be waived.

CORP-20-31 Additional Information Related to Report CORP-20-20 – Voting Options for the 2022 Municipal and School Board Elections**CORP-20-20** Voting Method for 2022 Municipal and School Board Elections

Recommendation

Whereas some Ontario municipalities have been using Internet voting since 2003; and,

Whereas in 2018, 194 municipalities in Ontario used Internet voting as a method of election and this number is expected to increase for the 2022 Municipal and School Board Elections; and,

Whereas the City of Oshawa is committed to continuous improvement, innovation, diversification and modernization of services, including Municipal and School Board Elections; and,

Whereas in an effort to provide for modernization of the election processes and to provide greater accessibility and convenience for the electorate, City staff recommended the introduction of Internet and Telephone Voting for 2022 Municipal and School Board Elections as set out in Report CORP-20-20; and,

Whereas newly discovered research from Dr. Nicole Goodman, Associate Professor of Political Science at Brock University, Director of the Centre for e-Democracy, Senior Associate with the Innovation Policy Lab at the Monk School of Global Affairs and is a member of the Laboratory of Local Elections, focuses on the adoption and effects of technology on elections in Canada and internationally; and,

Whereas Dr. Goodman's findings indicate that Internet voting is desirable for election stakeholders in Ontario and is a welcome addition alongside other voting methods to keep pace with societal changes, accommodate electors' increasingly busy schedules, and to help mitigate factors that may limit voter accessibility of physical locations; and,

Whereas Dr. Goodman recognizes that in Ontario it appears that municipal Internet voting uptake will continue to grow and become part of electoral modernization so long as there remains demand from the electorate and candidates, and the bureaucratic will to innovate the administration of elections; and,

Whereas Dr. Goodman identified the importance of sufficient education, outreach and robust communications to engage the electorate and stakeholders early and often; and,

Whereas Dr. Goodman also identified concerns about unsupervised/remote Internet voting such as authentication, auditability and verifiability as well as security which needs to be managed carefully; and,

Whereas Dr. Goodman recommends that online voting should be thoughtfully researched and implemented; and, that the introduction of online voting should be a deliberate and planned process and

that it is important for the Provincial Government to establish legal, technical and operational standards regarding Internet voting deployment for consistency across the province; and,

Whereas it is important for the City of Oshawa to advance the modernization of Municipal and School Board Elections and the engagement of its electorate as well as for staff to undertake more due diligence including investigation of risk mitigation strategies prior to the implementation of Internet and Telephone Voting as a method of voting;

Therefore be it resolved:

1. That the same method of voting used in the last election be used for the 2022 Municipal and School Board elections; and,
2. That Council authorize the use of optical scan vote tabulators and accessible voting equipment as the method of voting for the 2022 Municipal and School Board Elections and that the necessary by-law be passed; and,
3. That the Mayor send a letter to the Provincial Government with a request to establish legal, technical and operational security standards and guidelines for municipalities to follow in order to implement secure Internet voting for elections and to ensure consistency across the province; and,
4. That a copy of the letter be sent to all Durham Region municipalities, all Durham M.P.Ps, Durham Region School Boards, the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), the Minister of Municipal Affairs and Housing requesting their support for the Provincial Government to establish legal, technical and operational standards regarding Internet voting deployment for consistency across the province.

CORP-20-37

Data Governance Framework for the City of Oshawa

Recommendation

That staff investigate and report back on data governance rights as they pertain but not limited to both voting tabulator technology and online and telephone voting, including exploring the option of working with field experts and local stakeholders on developing a data governance framework for the City of Oshawa.

Report of the Development Services Committee

The Development Services Committee respectfully reports and recommends to City Council its Forty-Forth Report.

DS-20-120 Gary Muller, Director of Planning, Regional Municipality of Durham forwarding a copy of Commissioner's Report 2020-INFO-82 concerning the 2019 Annual Building Activity Review (INFO-20-181)

(See Pages 1 to 17)

Recommendation

That Correspondence DS-20-120 from Gary Muller, Director of Planning, Regional Municipality of Durham forwarding a copy of Commissioner's Report 2020-INFO-82 concerning the 2019 Annual Building Activity Review be received for information.

DS-20-121 The Honourable Steve Clark, Minister, Ministry of Municipal Affairs and Housing forwarding a letter concerning an amendment to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (INFO-20-185)

(See Pages 18 to 19)

Recommendation

That Correspondence DS-20-121 from the Honourable Steve Clark, Minister, Ministry of Municipal Affairs and Housing forwarding a letter concerning an amendment to A Place to Grow: Growth Plan for the Greater Golden Horseshoe be received for information.

DS-20-122 The Honourable Steve Clark, Minister, Ministry of Municipal Affairs and Housing forwarding a letter concerning the Community Benefits Charges Authority (INFO-20-186)

(See Pages 20 to 21)

Recommendation

That Correspondence DS-20-122 from the Honourable Steve Clark, Minister, Ministry of Municipal Affairs and Housing forwarding a letter concerning the community benefits charges authority be received for information.

DS-20-123

Joseph Isiah Submitting Correspondence concerning Driveway Widths under the current City of Oshawa Zoning By-law (INFO-20-193)

(See Page 22)

Recommendation

That Correspondence DS-20-123 from Joseph Isiah submitting correspondence concerning driveway widths under the current City of Oshawa Zoning By-law be received for information.

DS-20-117

Notice of Motion – Study to Investigate and Analyse the Conversion of Brock Street and Colborne Street to Two-way Traffic Operations

Recommendation

Whereas one-way streets tend to be auto-oriented, result in higher traffic speeds, increase travel distances for motorists, and create confusion especially for non-local residents and the aging demographic; and,

Whereas the historical purpose of one-way couplet streets in a downtown geographical setting is no longer relevant in the present day context and the streets were originally built as two-way streets; and,

Whereas the 2015 Council approved Integrated Transportation Master Plan recommends the undertaking of a study to analyze the impacts of the conversion of one-way streets to two-way streets in the downtown; and,

Whereas residents have expressed a desire for the conversion of one-way streets to two-way streets for general safety purposes, and in particular the safety of their children;

Therefore be it resolved that as part of the 2021 budget, staff include a study to investigate and analyse the conversion of Brock Street and Colborne Street to two-way traffic operations to make these neighbourhoods more livable, safe, and pedestrian-oriented.

DS-20-111**Results of the 3 Year Pilot Project to Permit Sandwich Board Signs in the Central Business District Zones in the Downtown Oshawa Urban Growth Centre**

(See Pages 23 to 58)

Recommendation

1. That, pursuant to Report DS-20-111 dated September 30, 2020, an extension of the pilot project up until April 1, 2023 to temporarily permit sandwich board signs in Central Business District Zones in the Downtown Oshawa Urban Growth Centre be approved, and the necessary by-law to amend Sign By-law 72-96 be passed in a form and content acceptable to the City Solicitor and the Commissioner, Development Services Department; and,
2. That, pursuant to Report DS-20-111 dated September 30, 2020, the Region of Durham be requested to approve an extension to the previously approved suspension of the Region of Durham's Temporary Sign By-law, to advance the proposed regulations in the pilot project extension for sandwich board signs which will include regional roads in Central Business District Zones in the Downtown Oshawa Urban Growth Centre, up until April 1, 2023; and,
3. That, pursuant to Report DS-20-111 dated September 30, 2020, the implementation of the pilot project extension to temporarily permit sandwich board signs in Central Business District Zones in the Downtown Oshawa Urban Growth Centre be undertaken in accordance with the Proposed Implementation Strategy as generally described in Section 5.5 of said Report; and,
4. That, pursuant to Report DS-20-111 dated September 30, 2020, the notice provisions of By-law 147-2007 (e.g. newspaper advertisements) be waived concerning notice for any proposed amendment to the Sign By-law 72-96 in consideration of the public meeting notice (e.g. newspaper advertisements) provided for the October 24, 2016 Non-Statutory Public Meeting, and the public consultation advanced in August 2020; and,

5. That a copy of Report DS-20-111 dated September 30, 2020 and the related Council resolution be sent to Board of Management of the Oshawa Central Business District Improvement Area.

DS-20-116

Results of Investigation of Proposal to Relocate the Community Park Currently Designated West of Harmony Road North and North of Britannia Avenue East in the Kedron Part II Plan

(See Pages 59 to 87)

Recommendation

That, pursuant to Report DS-20-116 dated September 30, 2020, City staff be authorized to initiate the statutory public process under the Planning Act for an amendment to the Oshawa Official Plan, for the purpose of permitting a City-owned Community Park generally 12 hectares (30 ac.) in size as an alternative use on lands designated for Prime Agricultural purposes located outside of the Major Urban Area at the northwest corner of Harmony Road North and the future Type 'C' Arterial Road forming the northerly limit of the Kedron Part II Plan, as shown on Attachment 1 of said Report, for the reasons generally outlined in Section 5.5 of said Report.

DS-20-113

Trent University Durham Greater Toronto Area – Requesting a Seat on the Oshawa Downtown BIA Board of Directors – Removal of Item from the Development Services Committee's Outstanding Items Status Report

(See Pages 88 to 90)

Recommendation

Whereas on October 21, 2019, the Development Services Committee considered Correspondence DS-19-197 from Dr. Scott Henderson, Dean and Head of Trent University Durham G.T.A. dated October 11, 2019, formally requesting representation on the Downtown Oshawa Business Improvement Area (B.I.A.) Board of Directors, and adopted the following recommendation:

'That Correspondence DS-19-197 from Trent University Durham Greater Toronto Area requesting a seat on the Oshawa Downtown B.I.A. Board of Directors be referred to staff for a report'; and,

Whereas by letter dated September 24, 2020, Dr. Scott Henderson withdrew the original request dated October 11, 2019 requesting representation on the Downtown Oshawa B.I.A. Board of Directors;

Therefore be it resolved that the item concerning the request from Trent University Durham Greater Toronto Area requesting a seat on the Oshawa Downtown B.I.A. Board of Directors be removed from the Development Services Committee's Outstanding Items Status Report.

DS-20-124

Process to Establish Noise Abatement Procedures and Restrictions under the Transport Canada Aviation Advisory Circular 302-002

Recommendation

Whereas on October 15, 2019, City Council directed staff to, amongst other matters, review the issues raised at the September 24, 2019 Airport Community Liaison Committee Town Hall meeting and specifically review issues concerning flight training with a view of reducing the amount of flight training aircraft traffic, altering the circuit patterns, addressing hours of operation, addressing noise mitigation opportunities and obtain input from NAV Canada and Transport Canada as appropriate in order to provide better balance and respect of Oshawa residents quality of life; and,

Whereas on September 29, 2020 and October 1, 2020, the City hosted virtual workshops on the development of the 2020-2024 Airport Business Plan (the "Business Plan") in response to Council's October 15, 2019 direction; and,

Whereas the virtual workshops were held to obtain stakeholder input on what should be included or addressed in the Business Plan; and,

Whereas approximately 80 people attended the virtual workshops which included Oshawa residents, aviation industry representatives and other stakeholders; and,

Whereas a number of Oshawa residents passionately and clearly expressed significant concerns with airplane noise, safety, and air quality, and in particular, concerns with the amount of flight training traffic; the circuit patterns; and the operating hours of the flight training schools; and,

Whereas it is critical that there be better balance between the quality of life of Oshawa residents and the economic benefits of the Oshawa Executive Airport; and,

Whereas Transport Canada Aviation has issued an Advisory Circular entitled Implementation of New or Amended Noise Abatement Procedures which sets out the implementation process for noise abatement procedures and restrictions at airports; and,

Whereas the Advisory Circular was prepared by a multi-disciplinary working group including Transport Canada Aviation, NAV Canada, the Air Transport Association of Canada, the Canadian Business Aircraft Association, the Federation of Canadian Municipalities, the Canadian Airlines Council and individual airport operators; and,

Whereas the Oshawa Executive Airport only operates a voluntary Good Community Neighbour policy, which established certain rules and regulations; and,

Whereas, it is appropriate for Council to obtain information on the Transport Canada Aviation Advisory Circular process;

Therefore, be it resolved:

1. That staff be directed to report back to the Development Services Committee on the process identified by Transport Canada Aviation Advisory Circular 302-002 to establish noise abatement procedures and restrictions at the Oshawa Executive Airport and make a recommendation on what is required for the City to advance that process; and,
2. That the Mayor, in consultation with the Ward 2 Councillors, be authorized to send a letter to the Honourable Marc Garneau, the Federal Minister of Transport asking for his support to address residents concerns regarding noise, air quality and safety at the Oshawa Executive Airport; and,
3. That the Mayor, in consultation with the Ward 2 Councillors, be authorized to send letters to all Oshawa M.P.s and M.P.P.s asking for their support to address residents concerns regarding noise, air quality and safety at the Oshawa Executive Airport.

Report of the Finance Committee

The Finance Committee respectfully reports and recommends to City Council its Twenty-ninth Report.

FIN-20-57 Corporate Payments for the Month of June, 2020 (INFO-20-175)

(See Pages 20 to 56)

Recommendation

That Report FIN-20-57 being the Corporate Payments for the Month of June 2020 (formerly INFO-20-175) be received for information.

FIN-20-59 Corporate Payments for the Month of July, 2020 (INFO-20-176)

(See Pages 57 to 99)

Recommendation

That Report FIN-20-59 being the Corporate Payments for the Month of July 2020 (formerly INFO-20-176) be received for information.

FIN-20-60 2019 Annual Report of Development Charge Reserve Funds
(INFO-20-177)

(See Pages 100 to 105)

Recommendation

That Report FIN-20-60 concerning 2019 Annual Report of Development Charge Reserve Funds be received for information.

FIN-20-62 Internal Audit Implementation Status Report (INFO-20-178)

(See Pages 106 to 115)

Recommendation

That Report FIN-20-62 concerning Internal Audit Implementation Status Report be received for information.

FIN-20-63

Summary of Contracts Greater than \$500,000 Awarded During the Period of June 1, 2020 to August 31, 2020 (INFO-20-179)

(See Pages 116 to 117)

Recommendation

That Report FIN-20-63 concerning Summary of Contracts Greater than \$500,000 Awarded During the Period of June 1, 2020 to August 31, 2020 be received for information.

FIN-20-55

Municipal Accommodation Tax Implementation Plan and By-Law

(See Pages 118 to 135)

Recommendation

1. That the Municipal Accommodation Tax (M.A.T.) Implementation Plan, detailed in the FIN-20-55 dated October 14, 2020 concerning the implementation of the Municipal Accommodation Tax be approved; and,
2. That a reserve for the City's share of the Municipal Accommodation Tax revenue be set up; and,
3. That the By-law to establish a Municipal Accommodation Tax, as generally set out in Attachment 2 to Report FIN-20-55, be passed by Council in a form and content acceptable to Commissioner, Finance Services and Legal Services; and,
4. That a Municipal Accommodation Tax Administration Fee, being five percent (5%) of the M.A.T. payable, be approved; and,
5. That the Greater Oshawa Chamber of Commerce be the City's eligible tourism entity through a services agreement for the purposes of the M.A.T. and the Commissioner, Finance Services be delegated the authority to execute the agreement; and,
6. That the effective date of implementation be April 1, 2021 subject to the City of Oshawa being awarded the 2021 Memorial Cup Tournament, otherwise the effective date of implementation to be January 1, 2022.

FIN-20-56 Property Tax Relief Program

(See Pages 136 to 141)

Recommendation

1. That the Property Tax Relief Program attached to Report FIN-20-56, dated October 14, 2020 be approved; and,
2. That staff be authorized to make amendments to the Property Tax Relief Program as required through legislation changes or other housekeeping matters.

FIN-20-58 Capital Project Status Report as at July 31, 2020

(See Pages 142 to 157)

Recommendation

That Report FIN-20-58 concerning the Capital Project Status Report as at July 31, 2020 dated October 14, 2020 be received for information.

Staff Reports/Motions

CNCL-20-177 Oshawa Accessibility Advisory Committee - Nominee to the Durham Accessibility Awards

Recommendation

Whereas the Region of Durham has requested a nomination from the Oshawa Accessibility Advisory Committee (O.A.A.C.) for the Annual Accessibility Awards; and,

Whereas in accordance with the Advisory Committees of Council Policy and Procedure (the 'Policy'), recommendations from Advisory Committees must be reported to a Standing Committee first; and,

Whereas the current meeting schedule did not allow time for the process set out in the Policy for the Advisory Committee to report to a Standing Committee first; and,

Whereas although the nomination deadline for the Region's Accessibility Award was October 16, 2020, the Region has agreed extend the deadline to allow time for City Council to consider the nomination at its meeting on October 26, 2020; and,

Whereas at its meeting of October 20, 2020, the O.A.A.C. nominated Linda Tamburro posthumously for this award;

Therefore be it resolved that Oshawa City Council endorse the O.A.A.C. nomination of Linda Tamburro as the City of Oshawa's nomination for the Region of Durham Annual Accessibility Awards.

Public Discussion Agenda

Matters Excluded from Consent Agenda

Recess (30 minutes)

Closed Consent Agenda

That all items listed under the heading of Closed Consent Agenda for the City Council meeting dated October 26, 2020 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 Forty-Fifth Report.

DS-20-112

Offer to Purchase City-owned Land: 0 Wilson Road South, between 397 Wilson Road South and the Canadian Pacific Railway Mainline

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

(See Pages C91 to C116)

Recommendation

1. That, pursuant to Closed Report DS-20-112 dated September 30, 2020, the Commissioner, Development Services Department be authorized to enter into an agreement of purchase and sale for the City-owned land located at 0 Wilson Road South, between 397 Wilson Road South and the Canadian Pacific Railway mainline, generally in accordance with key terms as set out in Section 5.6 of said Report, together with such documents as are required to complete the transaction in the opinion of the City Solicitor, and further that the agreement and other documents be in a form and content satisfactory to the City Solicitor and the Commissioner, Development Services Department; and,
2. That, pursuant to Closed Report DS-20-112 dated September 30, 2020, the Commissioner, Development Services Department be authorized, from time to time, to extend condition, requisition and completion dates established by the agreement of purchase and sale as the Commissioner, Development Services Department may consider advisable in consultation with the City Solicitor.

DS-20-114

Request by Enbridge Gas Distribution for an Easement over City-owned Lands at the Oshawa Executive Airport, to facilitate the conveyance of Natural Gas

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

(See Pages C117 to C122)

Recommendation

1. That pursuant to Report DS-20-114 the request from Enbridge Gas Distribution for an easement over City-owned lands at the Oshawa Executive Airport for the conveyance of natural gas be approved, subject to the natural gas service being constructed in a location satisfactory to the Airport Manager and Commissioner, Development Services Department; and,
2. That the Commissioner, Development Services Department be authorized to execute any required documents to give effect to Part 1 above including any required easement agreements with Enbridge Gas Distribution in a form and content acceptable to the Commissioner, Development Services Department and the City Solicitor; and,

3. That Enbridge Gas Distribution be solely responsible for bearing the cost to register the easement and any related agreements.

DS-20-115 Provincial Property Circulation – Broader Public Sector Review
Provincially-owned lands along Highway 407 East

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

(See Pages C123 to C129)

Recommendation

That pursuant to Confidential Memo DS-20-115 dated September 30, 2020, that Ontario's Realty Directive be advised that the City has an expression of interest in acquiring the property along Highway 407 East as set out in Confidential Memo DS-20-115 and that staff be directed to report back to Development Services Committee on the outlined property.

DS-20-118 Proposed Access Easement in Favour of 2285136 Ontario Limited
Over City-owned Lands north of Windfields Farm Drive West, west
of Simcoe Street North

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

(See Pages C130 to C136)

Recommendation

1. That pursuant to Report DS-20-118, the request from 2285136 Ontario Limited for an access easement over City owned lands to facilitate a driveway connection from RioCan's commercial development at the northwest corner of Simcoe Street North and Windfields Farm Drive West to Winchester Road West, be approved, in a form and content satisfactory to the City Solicitor and the Commissioner, Development Services Department; and,
2. That the Commissioner, Development Services Department be authorized to execute any required documents to give effect to Part 1 above, including any required easement agreements with 2285136 Ontario Limited, in a form and content acceptable to the City Solicitor and the Commissioner, Development Services Department; and,

3. That 2285136 Ontario Limited be solely responsible for bearing the cost to register the easement and any related agreements; and,
4. That 2285136 Ontario Limited provide an indemnification to the satisfaction of the City Solicitor that addresses the interface of the access with City-owned infrastructure on the City-owned lands.

DS-20-119

Potential Acquisition of Leasehold Improvements at the Oshawa Executive Airport

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

(See Pages C137 to C229)

Recommendation

That, pursuant to Closed Report DS-20-119 dated September 30, 2020, City staff be authorized to proceed as outlined in Section 5.4.1 of said Report with respect to the potential acquisition of leasehold improvements at the Oshawa Executive Airport.

Report of the Finance Committee

None

Closed Staff Reports/Motions

CNCL-20-174

Statement of Claim – 1111716 Ontario Ltd. o/a Owasco Inc. vs. Oshawa Power and Utilities Corporation, Oshawa PUC Networks Inc., The Corporation of the City of Oshawa, John Doe Design Engineer and John Doe Contractor

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

(See Pages 1C to 15C)

Recommendation

That staff be authorized to proceed as directed in the recommendation contained in Section 5.4 of Report CNCL-20-174 dated October 21, 2020.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Items Requiring Action

None

Rise and Report

By-laws

- 87-2020 A By-law to Adopt Amendment 197 to the City of Oshawa Official Plan (Implements Council direction of June 10, 2019 through Item DS-19-99 of the Fifteenth Report of the Development Services Committee to Amend Schedule "A", Land Use North Half, of the Oshawa Official Plan by re-designating the subject lands on the south side of Britannia Avenue West, west of Simcoe Street North, from Open Space and Recreation to Institutional and to Amend Schedule "A", Windfields Land Use and Road Plan, of the Windfields Part II Plan by Re-designating the subject lands on the south side of Britannia Avenue West, west of Simcoe Street North, from Open Space and Recreation – Community Park to Institutional – University of Ontario Institute of Technology and, removing the Community Park legend symbol from the legend.)
- 88-2020 A By-law to Amend Zoning By-law 60-94, as amended (Implements Council direction of June 10, 2019 through Item DS-19-99 of the Fifteenth Report of the Development Services Committee to rezone the subject lands on the south side of Britannia Avenue West, west of Simcoe Street North as the subject lands are no longer required for a Community Park at this location.)
- 89-2020 A By-law to amend Trespass By-law 98-2013, as amended (Implements Council direction of October 26, 2020 through Item CORP-20-27 of the Twenty-First Report of the Corporate Services Committee to revise the definition of 'Authorized Person' by adding the following: 'a Municipal Law Enforcement Officer appointed to enforce the By-laws of the City'.)
- 90-2020 A By-law to Amend Property Standards By-law 1-2002, amended (Implements Council direction of October 26, 2020 through Item CORP-20-29 of the Twenty-First Report of the Corporate Services Committee to provide for the protection of properties with cultural heritage value or interest.)

- 91-2020 A By-law to Amend Noise By-law 112-82, as amended
(Implements Council direction of October 26, 2020 through Item CORP-20-26 of the Twenty-First Report of the Corporate Services Committee to implement tiered and escalating penalties.)
- 92-2020 A By-law to authorize the use of optical scan vote tabulators and accessible voting equipment which include accessible voting technologies for the 2022 Municipal Elections
(Implements Council direction of October 26, 2020 through Item CORP-20-20 of the Twenty-First Report of the Corporate Services Committee to authorize the use of optical scan vote tabulators and accessible voting equipment for the purpose of counting votes in the 2022 Municipal and School Board Elections.)
- 93-2020 A By-law to Establish the Municipal Accommodation Tax
(Implements Council direction of October 26, 2020 through Item FIN-20-55 of the Twenty-Ninth Report of the Finance Committee to establish a tax rate and to levy the tax on the purchase of transient accommodation within the City of Oshawa.)
- 94-2020 A By-law to Amend Traffic By-law 79-99, as amended
(Implements Council direction of September 28, 2020 through Item CS-20-54 of the Twenty-First Report of the Community Services Committee to reduce the speed limit on Eastlawn Street from 50 km/h to 40 km/h in its entirety.)

Matters Tabled

1. 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)
2. Report CS-19-130 concerning the engagement of a consultant to determine the feasibility of establishing a bike park and that \$120,000 be placed for consideration in the 2020 Capital Budget. (Tabled November 4, 2019 to hold a public meeting to determine the level of interest in an Oshawa Bike Park before any decision is made to hire a consultant to investigate this option further)
3. That Council also approve the addition of four additional fire suppression staff and the hiring be funded in the 2020 Operating budget and that the Overtime Budget for the fire department be reduced by \$300,000.
(Tabled December 6, 2019 until the report from Dillon Consulting is received)

4. Report FIN-20-18 concerning the Councillor Expense Policy providing \$1,000 to each Local and each Regional Councillor to be reflected in the budget submission as a total amount for the four-year term, with the timing of expenditures at the discretion of the Councillors as required over the course of the four-year term. (Tabled April 27, 2020)
5. The following amendments to Correspondence CNCL-20-107 from the Board of Management of the Oshawa Central Business District Improvement Area concerning the 2020 Tax Levy and Budget (Tabled June 9, 2020):
 - “Part 2: add the word ‘adjusted’ between after the word ‘the’ and before the word ‘amount’; add the words ‘less \$119,898.98’ after ‘\$529,351.02’ and before ‘for 2020’; and,
 - Part 3: add the words ‘being the levy rate of .0022449 after ‘\$419,851.02’; and,
 - Part 5: That the OCBDIA come to Oshawa Committee and Oshawa Council in the fall of 2020 to begin the process for a new levy rate 2021 with a new constitution to not allow the current default majority, but a majority of voting members, and an open consultative process and regular notification to members and the City of the income statements financials; and,
 - Part 6: That the OCBDIA implement a new voting process that eliminates the current default majority, and establishes a requirement that a majority of voting members approve any new levy rate and new constitution; and,
 - Part 7: That the OCBDIA establish an improved, open consultative process that includes among other things, the posting of the actual levy rate to members and the regular notification to members and the City of the income statements financials; and,
 - Part 8: That the Board of Management of the OCBDIA receive training from the City’s Clerks Department concerning to running meetings and posting notices to members with increased transparency and accountability to its members.”

Notices of Motion Previously Given

[At the September 28 2020 meeting of City Council, the following notices of motion were provided]

“Whereas there are occasions where Council members will have questions or refer constituents to staff members and have phone calls or emails bounced back that the staff member is no longer in the City’s employment or on maternity leave,

Therefore the human resources Manager notify all Council members when City administrative staff have left the City employment on a permanent or temporary basis.”

And,

“Whereas consultant’s make digital presentations to City Standing Committee meetings and at Public Planning Committee meetings that are not available on-line to the public to review during the meetings; and

Whereas the City is committed to being in compliance with the Accessibility for Ontarians with Disabilities Act (the AODA)

Now Therefore:

1. the Development Services department ensure all consultant presentations, including developer consultant presentations during Public Planning Act meetings will be made available in an accessible digital format;
2. the City Clerk will ensure that all consultant presentations are placed on the City’s website in an accessible format when meeting Agendas are published; and

the City Communications department will ensure that all presentations will be visible on-line during the webstreaming of the presentations at all City meetings.”

And,

“Whereas when a Notice of Motion is directed from Council to Committee, although the members in attendance the Council meeting or reading the original Council meeting minutes may be aware of which member of Council made the Notice of Motion, when it appears on the Committee agenda there is no identification who made the Notice of Motion; and

Whereas as time passes and Council members change, with some new and some returned following municipal elections, a Council member interested in researching a particular topic may want to investigate further and speak with the Councillor who originally made the Notice of Motion,

Now therefore the name of the Council member who makes the notice of motion be identified, similar to the way in which Council members who pull items from the Information Package are identified on the Committee or Council Agenda.”

And,

“Now therefore the City upgrade the City’s audio/video equipment for the City’s meeting webcasts due to inadequacies of the current system increasingly apparent in 2020 and this upgrade be implemented no later than the end of the first quarter of 2021.”

And,

“Now therefore the City of Oshawa write the Region of Durham to raise awareness how the City of Oshawa being divided among four of the five Durham Regional Police Divisions is problematic in many ways for both Council members and the public, and that during the boundary realignment discussions it be made clear to the boundary review committee that the City of Oshawa is in favour of DRPS boundaries that follow municipal Ward boundaries.”

Notices of Motion

The following three notices of motion are submitted by Councillor McConkey:

“Whereas there are substantial environmental, cultural and social benefits to roof top gardens;

Whereas the growing trend to cultivate ‘Gardens in the Sky’ enhance city’s buildings and is a measure to combat climate change,

Therefore the City of Oshawa investigate implementing a policy for new residential, commercial and industrial buildings to include some form of roof-top gardens.”

And;

“Whereas the Corporate Leadership Team conduct a number of individual pre-budget consultations with the City Department Directors and Managers each year prior to staff’s annual preparation of a draft City Budget for presentation to Council;

Whereas there are advantages to staff conducting individual consultations with the elected members of Council, who through their first-hand day-to-day engagement with Oshawa residents, business stakeholders and local organizations, may be aware of budget priority needs, suggestions, or concerns to submit for consideration;

Therefore as part of the next pre budget consultations, Council adopt a policy that prior to June 30th City Mangers or Directors in any of the Parks, Recreation, Transportation, Operations, Information and Technology or Municipal By-law Departments meet any Council member desiring to relate their budget priority

needs, suggestions or concerns for consideration by the Corporate Leadership Team.”

And;

“Whereas with this year’s world pandemic the 2021 City budget presents many operations and revenue challenges;

Therefore the City 2021 budget process give serious consideration to placing a one year freeze on all City non-union salaries, wages and benefits.”

Confirming By-law

A by-law to confirm the City Council meeting of October 26, 2020.

Adjournment

City Council – October 26, 2020

Additional Items distributed at the meeting

1. **CNCL-20-178** Correspondence from Uber Submitting Comments concerning Item CORP-20-34 regarding Modernizing Vehicle-For-Hire Standards in the City of Oshawa: Regulatory Options
2. **CNCL-20-179** Correspondence from Wayne Wood Submitting Comments concerning Item FIN-20-55 regarding Municipal Accommodation Tax Implementation Plan and By-Law