

Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber with electronic participation on October 26, 2020 at 9:30 a.m.

Mayor Carter and Councillors Chapman, Giberson, Gray, Hurst, Kerr (entered the meeting at 9:36 a.m.), Marimpietri, Marks, McConkey, Neal, and Nicholson were present electronically.

Mayor Carter presided.

## **Public Meeting**

### **Recognition of Indigenous Lands**

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

### **Additional Agenda Items**

Moved by Councillor Chapman, seconded by Councillor Giberson, (237) “That Correspondence CNCL-20-178 from Uber concerning Item CORP-20-34 and Correspondence CNCL-20-179 from Wayne Wood concerning Item FIN-20-55 be added to the Council agenda for October 26, 2020 and referred to the relevant reports.”  
Carried

### **Declarations of Pecuniary Interest**

Mayor Carter made a declaration of interest concerning Report CNCL-20-169 Review of the Finances, Management and Operations of the Oshawa Central Business District Improvement Area discussed at the October 22, 2020 special meeting of Council and Item CS-20-58 Proposed Pilot Project, Sidewalk Clearing in High Pedestrian Traffic Areas in Parts of the Downtown listed on the agenda for the October 26, 2020 Council meeting as both items relate to the Business Improvement Area and as he owns property in and is a member of the Business Improvement Area and did not take part in discussion or voting on the matter.

Councillor Kerr entered the meeting.

Councillor Neal made a declaration of interest concerning Item FIN-20-62 Internal Audit Implementation Status Report as the item relates to the Oshawa Senior Citizens Centres and as he is a member of the Board of the OSCC+ he did not take part in discussion or voting on the matter.

Councillor Marimpietri made a declaration of interest concerning Item CS-20-58 Proposed Pilot Project, Sidewalk Clearing in High Pedestrian Traffic Areas in Parts of the Downtown as the item relates to the Business Improvement Area and as his spouse is an owner of a business in and contributes to the Business Improvement Area, he did not take part in discussion or voting on the matter.

(See Page 271)

## **Council Member Announcements**

Various announcements were made relating to activities and events.

Moved by Councillor Kerr, seconded by Councillor Hurst,  
(238) "That the rules of procedure be waived to introduce a time sensitive motion concerning the LIFE and Durham Dignity Groups food and clothing distribution."  
Carried on the following 2/3 vote of members present

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

Negative – None

Absent – None

Moved by Councillor Kerr, seconded by Councillor Hurst,  
(239) "Whereas the Life Community Project provides needed food and clothing support to those in need in our community through donations and volunteer efforts, and,

Whereas Durham Dignity For The Homeless also provides such services in concert with the LIFE group, and,

Whereas there have been/are other small groups and individuals also providing/have been providing such services to the point where over-supply and issues with clutter and refuse have created an environment to which many other citizens of Oshawa will not attend and have complained to the City to clean up Memorial Park (although no one group is completely responsible), and,

Whereas the Gap Committee identified the need for services hubs to concentrate related services for ease of acquisition of such services by those in need (the first of which is the Mission United medical services-based hub at the Simcoe Street United Church - previously known as The Backdoor Mission), and,

Whereas the City through consultation with the LIFE and Durham Dignity groups (the major food and clothing supply organizations in Memorial Park) have offered the use of the hammer head road allowance at the east end of Midtown Drive should a fully-compliant Road Occupancy Permit (ROP) be qualified for through an insurance company and all pertinent ROP fees be submitted, and,

Whereas the creation of this second and different hub will concentrate such services as ODSP, OW, Service Ontario, Service Canada, and the Legal Aid Clinic in the immediate vicinity such that an enhanced public service situation is the result;

Therefore, be it resolved:

1. That the LIFE and Durham Dignity groups be granted an ROP for the Midtown Mall hammer head road site (hereafter called the Midtown Mall Hub) provided all requirements of the ROP have been met subject to a form and content

- satisfactory to the City Solicitor and the Commissioner of Community Services, and,
2. That City Staff carry out an amended snow-removal program to maintain the area of the hammerhead road and the Oshawa Creek Trail as well as the paths and bridge over the Oshawa Creek adjacent to the Robert McLaughlin Gallery clear of snow; and,
  3. That a mobile trailer to enhance the quality and range of services - to be supplied and paid for by the LIFE and Durham Dignity groups - be placed at the MMH site for the duration of the ROP and located according to LIFE and Durham Dignity needs and in order to satisfy the snow-clearing procedures by City Staff necessary for the site, in general; and,
  4. That once the ROP has been qualified for and agreed to by both the City and the LIFE and Durham Dignity groups these two groups relocate from Memorial Park to the MMH; and,
  5. That the pertinent City By-law be amended to say that no unpermitted food nor clothing disbursement shall take place in an Oshawa park (including Memorial Park) and that staff investigate and report back.” Carried by later votes

Councillor Giberson made a declaration of interest concerning the motion regarding the LIFE and Durham Dignity Groups as he is a member of the Back Door Mission, an organization that also has activities relating to food and clothing distribution in the similar downtown area, he did not take part in discussion or voting on the matter.

A request was made to divide the motion to vote on Part 5 separately.

The vote to adopt Parts 1 to 4 of the motion Carried.

The vote to adopt Part 5 of the motion Carried on the following

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

Negative – Councillor Nicholson

Declaration of Interest – Councillor Giberson

Absent – None

## **Presentations**

Interim Chief of Police Todd Rollauer and Inspector Dave Saliba, Durham Regional Police Service provided a presentation concerning community safety initiatives.

Members of Council questioned the Interim Chief of Police Todd Rollauer and Inspector Dave Saliba, Durham Regional Police Service.

Moved by Councillor Chapman, seconded by Councillor Neal,  
(240) "That the meeting recess for 5 minutes." Carried

The meeting recessed at 11:32 a.m. and reconvened at 11:40 a.m. with all members of Council in attendance electronically.

Mayor Carter presented the Community Legend Award and the Oshawa Culture Counts Awards to the 2020 recipients.

## **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)

Moved by Councillor McConkey, seconded by Councillor Giberson,  
"That Council reconsider its decision of June 22, 2020 concerning the lease renewal for  
the Oshawa Bocce Club." Lost on the following vote as a 2/3 vote required

Affirmative – Councillors Giberson, Gray, Kerr and Marks, McConkey, Neal and  
Nicholson

Negative – Councillors Chapman, Hurst, Marimpietri and Mayor Carter

Absent – None

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)

Moved by Councillor McConkey, seconded by Councillor Kerr,  
(241) "That Item CNCL-20-176 from the Township of Amherstburg requesting support  
for an extension to the Accessibility for Ontarians with Disabilities Act Website  
Compliance Deadline be received for information." Carried on the following vote

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

Negative – Councillors McConkey, Neal and Nicholson

Absent – None

## **Public Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson, (242) "That all items listed under the heading of Public Consent Agenda for the October 26, 2020 Council meeting be adopted as recommended except:

Items CS-20-58 and CS-20-59 from the Twenty-Second Report of the Community Services Committee;

Items CORP-20-32, CORP-20-30 and CORP-20-26 with related By-law 91-2020 from the Twenty-First Report of the Corporate Services Committee;

Items CORP-20-34 and CORP-20-30/CORP-20-20 with related By-law 92-2020 from the Twenty-Second Report of the Corporate Services Committee;

Items DS-20-116 and DS-20-124 from the Forty-Fourth Report of the Development Services Committee;

Item FIN-20-62 from the Twenty-Ninth Report of the Finance Committee;

Report CNCL-20-177." Carried

## **Correspondence**

CNCL-20-173      Kate Lee Submitting Comments in Support of Internet Voting

Recommendation                      (Carried – See Page 273)

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

Recommendation                      (Carried – See Page 273)

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.

CNCL-20-178      Uber Submitting Comments concerning Item CORP-20-34

(Referred – See Page 269)

CNCL-20-179      Wayne Wood Submitting Comments concerning Item FIN-20-55

(Referred – See Page 269)

## Adoption of Council Minutes

That the minutes of the City Council meetings held on September 28, 2020 be adopted.  
(Carried – See Page 273)

## 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

Recommendation                      (Carried – See Page 289)

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                      (Carried – See Page 289)

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 (Carried – See Page 273)

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

Recommendation                      (Carried – See Page 289)

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.

Recommendation                      (Carried – See Page 289)

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

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Recommendation (Amended – See Page 289)

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

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Recommendation (Carried – See Page 273)

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

Recommendation (Carried – See Page 273)

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

Recommendation (Carried – See Page 290)

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 (Carried – See Page 290)

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                      (Carried – See Page 273)

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-Fourth 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)

Recommendation                      (Carried – See Page 273)

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)

Recommendation                      (Carried – See Page 273)

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)

Recommendation                      (Carried – See Page 273)

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)

Recommendation (Carried – See Page 273)

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 (Carried – See Page 273)

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

Recommendation (Carried – See Page 273)

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

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Recommendation (Amended – See Page 290)

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

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Recommendation (Carried – See Page 273)

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

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Recommendation (Carried – See Page 291)

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)

Recommendation                    (Carried – See Page 273)

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)

Recommendation                    (Carried – See Page 273)

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)

Recommendation                    (Carried – See Page 273)

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)

Recommendation                    (Carried – See Page 291)

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)

Recommendation (Carried – See Page 273)

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

Recommendation (Carried – See Page 273)

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

Recommendation (Carried – See Page 273)

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

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Recommendation (Carried – See Page 273)

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

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Recommendation (Carried – See Page 292)

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**

The recommendation contained in Item CS-20-58 concerning a proposed pilot project, sidewalk clearing in high pedestrian traffic areas in parts of the downtown was now before Council.

The vote to adopt the recommendation contained in Item CS-20-58 Carried on the following

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

Negative – None

Declaration of Interest – Councillor Marimpietri and Mayor Carter

Absent – None

The recommendation contained in Item CS-20-59 concerning the subsidized backyard tree planting program pilot was now before Council.

The vote to adopt the recommendation contained in Item CS-20-59 Carried

The recommendation contained in Item CORP-20-32 concerning public wi-fi at Henry House Museum and Lakeview Park was now before Council.

Moved by Councillor McConkey, seconded by Councillor Gray, “That Item CORP-20-32 concerning public wi-fi at Henry House Museum and Lakeview Park be referred back to staff.” Lost on the following vote

Affirmative – Councillors Gray, McConkey and Neal

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

Absent – None

The vote to adopt the recommendation contained in Item CORP-20-32 Carried.

The recommendation contained in Item CORP-20-30 concerning the Mary Street parking garage – request from Summers & Co. Developments Inc. was now before Council.

The vote to adopt the recommendation contained in Item CORP-20-30 Carried.

The recommendation contained in Item CORP-20-26 and pass By-law 91-2020 concerning Noise By-law 112-82 and noisy vehicles was now before Council.

Moved by Councillor Marks, seconded by Councillor McConkey, (243) "That the recommendation contained in Item CORP-20-26 be amended to add the following as Part 4 'After any and all privacy concerns have been investigated, and if they are permitted under the City's Privacy code of conduct, that staff also prepare a complaint history regarding Noisy Vehicles and forward to D.R.P.S., along with the aforementioned materials in Part 2.'" Carried on the following vote

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

Negative – None

Absent – Councillor Marimpietri

The vote to adopt the recommendation contained in Item CORP-20-26 and pass By-law 91-2020 Carried as amended on the following

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

Negative – None

Absent – None

The recommendation contained in Item CORP-20-34 concerning modernizing vehicle-for-hire standards in the City of Oshawa: regulatory options was now before Council.

The vote to adopt the recommendation contained in Item CORP-20-34 Carried.

The recommendation contained in Item CORP-20-31/CORP-20-20 and pass By-law 92-2020 concerning voting methods for the 2022 Municipal and School Board Elections was now before Council.

The vote to adopt the recommendation contained in Item CORP-20-31/CORP-20-20 and pass By-law 92-2020 Carried on the following

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

Negative – None

Absent – None

The recommendation contained in Item DS-20-116 concerning the 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 was now before Council.

Moved by Councillor Nicholson, seconded by Councillor Neal, (244) "That the recommendation contained in Item DS-20-116 be amended to add the following as Part 2 'That the holding of this Public Meeting does not constitute or imply any form or degree of approval.'" Carried

The vote to adopt the recommendation contained in Item DS-20-116 Carried as amended on the following

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

Negative – Councillors McConkey and Neal

Absent – None

Moved by Councillor Hurst, seconded by Councillor Marimpietri, (245) “That the meeting recess for 30 minutes.” Carried as amended by later vote

Moved by Councillor Chapman, seconded by Councillor Marks, (246) “That the motion to recess be amended to reconvene at 2:00 p.m.” Carried

The vote to adopt the motion to reconvene at 2:00 p.m. Carried as amended.

The meeting recessed at 1:15 p.m. and reconvened at 2:00 p.m. with all members of Council in attendance electronically.

The recommendation contained in Item DS-20-124 concerning the process to establish noise abatement procedures and restrictions under the Transport Canada Aviation Advisory Circular 302-002 was now before Council.

The vote to adopt the recommendation contained in Item DS-20-124 Carried on the following vote

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

Negative – None

Absent – None

The recommendation contained in Item FIN-20-62 concerning the internal audit implementation status report was now before Council.

The vote to adopt the recommendation contained in Item FIN-20-62 Carried on the following

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

Negative – None

Declaration of Interest – Councillor Neal

Absent – None

The recommendation contained in Report CNCL-20-177 concerning the Oshawa Accessibility Advisory Committee – nominee to the Durham Accessibility Awards was now before Council.

The vote to adopt the recommendation contained in Report CNCL-20-177 Carried on the following

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

Negative – None

Absent – None

### **Closed Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson, (247) “That all items listed under the heading of Closed Consent Agenda for the Council meeting of October 26, 2020 be adopted as recommended except:

Items DS-20-112 and DS-20-118 from the Forty-Fifth Report of the Development Services Committee.” Carried

### **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

Recommendation            (Carried – See Page 296)

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

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

Recommendation (Carried – See Page 292)

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

Recommendation (Carried – See Page 292)

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

Recommendation (Carried – See Page 296)

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

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

Recommendation                      (Carried – See Page 292)

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

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

Recommendation                      (Carried – See Page 292)

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 Closed Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson, (248) “That the meeting be closed to the public pursuant to Sections 239.2 (c) of the Municipal Act in order to consider Items DS-20-112 and DS-20-118 which are concerning a proposed or pending acquisition or disposition of land.” Carried

The meeting reconvened in closed session at 2:14 p.m. with all members of Council in attendance electronically.

Also in attendance electronically were the City Clerk; the Deputy City Clerk; the Chief Administrative Officer; the Commissioner, Finance Services/Treasurer; the Commissioner, Development Services Department; the Commissioner, Community Services Department; the Commissioner, Corporate Services Department; the City Solicitor; and A. Kosnick, Lawyer.

All other staff left the meeting.

Council went into closed session at 2:14 p.m.

Closed meeting discussions were held.

Moved by Councillor Chapman, seconded by Councillor Giberson, (249) "That Council rise from the closed session and report." Carried

Council rose from closed session at 2:28 p.m.

## **Closed Report**

All members of Council participating remotely verbally affirmed they were alone.

Members of Council discussed Item DS-20-112 concerning an offer to purchase City-owned land: 0 Wilson Road South, between 397 Wilson Road South and the Canadian Pacific Railway Mainline.

The Commissioner, Development Services Department responded to questions from Council.

Members of Council discussed Item DS-20-118 concerning the proposed access easement in favour of 2285136 Ontario Limited over City-owned lands north of Windfields Farm Drive West, west of Simcoe Street North.

The Commissioner, Development Services Department responded to questions from Council.

This concludes the closed meeting summary.

The vote to adopt the recommendation contained in Item DS-20-112 concerning an offer to purchase City-owned land: 0 Wilson Road South, between 397 Wilson Road South and the Canadian Pacific Railway Mainline Carried.

The vote to adopt the recommendation contained in Item DS-20-118 concerning the proposed access easement in favour of 2285136 Ontario Limited over City-owned lands north of Windfields Farm Drive West, west of Simcoe Street North Carried.

## **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.)  
(Carried – See Page 273)

- 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.) (Carried – See Page 273)
- 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'.) (Carried – See Page 273)
- 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.) (Carried – See Page 273)
- 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.)  
(Carried – See Page 289)
- 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.) (Carried – See Page 290)
- 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.) (Carried – See Page 273)

- 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.) (Carried – See Page 273)

## **Matters Tabled**

No items were lifted from the table.

## **Notices of Motion Previously Given**

Moved by Councillor McConkey, seconded by Councillor Nicholson,  
“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.”  
Lost on the following vote

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

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

Absent – None

Moved by Councillor McConkey, seconded by Councillor Gray,  
“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.”  
Lost on the following vote

Affirmative – Councillors Gray, Marimpietri, McConkey and Neal

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

Absent – None

Moved by Councillor McConkey, seconded by Councillor Nicholson,  
“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.” Lost on the following vote

Affirmative – Councillors Gray, Marks, McConkey, Neal and Nicholson

Negative – Councillors Chapman, Giberson, Hurst, Kerr, Marimpietri and Mayor Carter

Absent – None

Moved by Councillor McConkey, seconded by Councillor Gray,  
(250) “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 that this notice of motion be referred to the 2021 budget deliberations.” Carried on the following vote

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

Negative – Councillors Giberson and Mayor Carter

Absent – None

Moved by Councillor McConkey, seconded by Councillor Neal,  
“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.” Lost on the following vote

Affirmative – Councillors Gray, Kerr, McConkey, Neal and Nicholson

Negative – Councillors Chapman, Giberson, Hurst, Marimpietri, Marks and Mayor Carter

Absent – None

## **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

That this motion be referred to the Development Services Committee.”

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,

That this motion be referred to the next meeting of City Council.”

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; and,

That this motion be referred to the next meeting of City Council.”

### **Confirming By-Law**

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(251) “That the confirming By-law be passed.” Carried

95-2020      A by-law to confirm the City Council meeting of October 26, 2020.

### **Adjourn**

Moved by Councillor Marimpietri, seconded by Councillor Kerr,  
(252) “That the meeting adjourn.” Carried

The meeting adjourned at 3:00 p.m.