

Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber with electronic participation on January 25, 2021 at 9:30 a.m.

Mayor Carter and Councillors Chapman, Giberson, Gray, Hurst, Kerr, 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.

### **Council Member Announcements**

A moment of silence was held for all community leaders, staff and family members that have passed away over the previous year.

Various announcements were made relating to activities and events.

### **Additional Agenda Items**

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(1) “That additional time-sensitive Report CNCL-21-07 concerning the closure of a portion of Howard Street be added to the Closed Consent Agenda for the Council meeting of January 25, 2021.” 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

### **Declarations of Pecuniary Interest**

Councillor Marimpietri made a declaration of interest concerning Report CNCL-21-02 regarding activities performed by the Oshawa Central Business District Improvement Area as he has a family member that owns and operates a business in the area affected and did not take part in discussion or voting on the matter.

Mayor Carter made a declaration of interest concerning Report CNCL-21-02 regarding activities performed by the Oshawa Central Business District Improvement Area as he is a paying member of the Oshawa Central Business District Improvement Area and owns property in the area and did not take part in discussion or voting on the matter.

Councillor Neal made a declaration of interest concerning Report CNCL-21-02 regarding activities performed by the Oshawa Central Business District Improvement Area as he has a family member is referenced in the report and attachments and did not take part in discussion or voting on the matter.

## **Presentations**

James Patava and Patricia McCarney, World Council on City Data provided a presentation concerning the City of Oshawa becoming WCCD ISO Platinum Certified for the year 2018.

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

## **Delegations**

None

## **Matters Requiring Direction**

### **Items Requiring Action**

Councillor Chapman assumed the Chair.

CNCL-21-02            Activities Normally Performed by the Board of Management of the Oshawa Central Business District Improvement Area and Options for Future Representation for the Downtown

Moved by Councillor Gray, seconded by Councillor Kerr,  
(2)    “That Report CNCL-21-02 be deferred to the end of the meeting, immediately before the Confirming By-law.” Carried

(See Page 22)

Mayor Carter resumed the Chair.

CNCL-21-04            City of Oshawa Integrity Commissioner – Report on Complaint Foster v. Chapman, 2020 ONMIC 17

Moved by Councillor Marks, seconded by Councillor Kerr,  
(3)    “That Correspondence CNCL-21-04 concerning the City of Oshawa Integrity Commissioner Report on complaint Foster v. Chapman, 2020 ONMIC 17 be received for information.” Carried

## Items Pulled from Information Package

CNCL-21-05      City of Hamilton Resolution Requesting the Province Amend its Licensing and Application process for Cannabis Retail Stores to consider radial separation from other cannabis locations (INFO-20-220)

Moved by Councillor Hurst, seconded by Councillor Marimpietri,  
(4)      “Whereas the City of Hamilton has requested the Province to amend the A.G.C.O. licencing and application process for cannabis retail stores to consider radial separation from other cannabis retail locations; and,

Whereas the City of Hamilton has requested other municipalities in Ontario to endorse its request; and,

Whereas City Council approved the ‘City of Oshawa Cannabis Retail Store Locational Guidelines’ on September 23, 2019, which is included in the City's response to the A.G.C.O. when objecting to applications in contravention of the said Guidelines; and,

Whereas the A.G.C.O. approves applications citing same ‘are not contrary to the public interest’ despite our council approved guidelines which includes number of cannabis retail locations per city ward, distance from public parks, schools,

Therefore, be it resolved that the City of Oshawa send a letter of support to the City of Hamilton with respect to its request and also include a copy of our Guidelines and summary as to status of applications processed to date; and,

That a copy of the letter also be forwarded to the Premier of Ontario, the Attorney General, MPP's French, Coe and Park.” Carried on the following vote

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

Negative – Councillor Kerr

Absent - None

CNCL-21-06      Oshawa Public and Utilities Corporation (Oshawa Power) Report of the Chairman to the Shareholder – Third Quarter Report (2020) (INFO-20-239)

Moved by Councillor McConkey, seconded by Councillor Hurst,  
(5)      “That Correspondence CNCL-21-06 concerning the Oshawa Public and Utilities Corporation (Oshawa Power) Report of the Chairman to the Shareholder – Third Quarter Report (2020) be received for information.” Carried

## Public Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(6) “That all items listed under the heading of Public Consent Agenda for the January 25, 2021 Council meeting be adopted as recommended except:

Minutes of the City Council meeting of December 11, 2020;

Items CS-21-01/CS-21-02/ CS-21-03 and CS-21-06 of the Twenty-fifth Report of the Community Services Committee;

Items DS-21-05, DS-21-13, DS-21-14 and DS-21-15 from the Fifty-first Report of the Development Services Committee; and,

Item FIN-21-07 from the Thirty-Fourth report of the Finance Committee.” Carried

### **Correspondence**

None

### **Adoption of Council Minutes**

That the minutes of the City Council meetings held on December 4, 2020, December 10, 2020, December 11, 2020 and December 14, 2020 be adopted. (Carried – See Pages 4 and 17)

### **Standing Committee Reports**

#### **Report of the Community Services Committee**

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

CS-21-01	Siraj Patel Submitting Correspondence In Support of Establishing an Outdoor Winter Ice Rink in Oshawa
CS-21-02	Linda Power Submitting Correspondence In Support of Establishing an Outdoor Winter Ice Rink in Oshawa
CS-21-03	Mark Little Submitting Correspondence In Support of Establishing an Outdoor Winter Ice Rink in Oshawa

Recommendation                      (Amended – See Page 17)

1. That Correspondence CS-21-01 from Siraj Patel, CS-21-02 from Linda Power and CS-21-03 from Mark Little in support of establishing an outdoor winter ice rink in Oshawa be referred to staff for a report on the viability, location, and all associated costs of a refrigerated, natural and synthetic outdoor winter ice rink in Oshawa and that staff investigate

the need to update any existing by-law with regard to an outdoor winter ice rink; and,

2. That the correspondence be referred to the Community Centennial Committee.

CS-21-04

Ed Broadbent Waterfront Park

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Recommendation (Carried – See Page 4)

That based on Report CS-21-04 dated January 13, 2021 concerning the Ed Broadbent Waterfront Park:

1. That Capital Project 19510104 be amended to advance only basic parkland development at this time, and defer the boat launch component to a future phase; and,
2. That Council approve the amended Terms of Reference to advance the detailed design for only the basic parkland development and stakeholder consultation as set out in Attachment 2 to said Report; and,
3. That the contract with Brook McIlroy be terminated due to substantial change in the scope of the project.

CS-21-05

Pedestrian Concerns at Jack Glenn Street and Greenhill Avenue

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Recommendation (Carried – See Page 4)

Whereas at the City Council meeting on February 18, 2020, staff were directed through CS-20-15 to undertake the following:

“That staff investigate the need for a pedestrian crosswalk at the intersection of Jack Glenn and Greenhill Boulevards”;  
and,

Whereas staff contacted the resident to confirm that the request was for a crossing guard at that intersection; and,

Whereas staff conducted a site inspection and traffic study along Greenhill Avenue in the vicinity of Elsie MacGill Public School (800 Greenhill Avenue) and Jack Glenn Street; and,

Whereas staff observations identified no safety concerns along Greenhill Avenue in the vicinity of Elsie MacGill Public School during the morning arrival and afternoon dismissal times; and,

Whereas data collected from the two radar message boards recently installed along Greenhill Avenue near Elsie MacGill Public School showed acceptable roadway operating speeds; and,

Whereas staff completed a traffic and pedestrian study prior to the opening of Elsie MacGill Public School in 2019, and implemented a new school crossing at Greenhill Avenue and Clearbrook Drive to assist students walking from south of Greenhill Avenue to the new school; and,

Whereas the existing school crossing at Greenhill Avenue and Clearbrook Drive provides a safe route across Greenhill Avenue for students walking from Jack Glenn Street; and,

Whereas the intersection of Jack Glenn Street and Greenhill Avenue is located at an acceptable walking distance of approximately 75 metres east of the existing school crossing guard at Greenhill Avenue and Clearbrook Drive; and,

Whereas implementing a second school crossing at Jack Glenn Street and Greenhill Avenue could create operational and safety concerns due to the close proximity to the existing school crossing at Greenhill Avenue and Clearbrook Drive and the school parking lot entrances; and,

Whereas staff do not recommend a school crossing guard at Jack Glenn Street and Greenhill Avenue; and,

Whereas staff have discussed the results of the study with the resident inquirer and advised that staff can investigate traffic concerns again in the future at the resident's request if new safety concerns arise at this location;

Therefore be it resolved that CS-21-05 concerning pedestrian concerns at Jack Glenn Street and Greenhill Avenue be received for information.

CS-21-06

Three-Way Stop at Celina and Bruce Streets

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Recommendation (Carried – See Page 17)

That a 3-way stop with a southbound stop sign and pedestrian paint markings be implemented at the intersection of Bruce Street and Celina Street.

CS-21-07 Lakefront West Park Expansion Study Update – Southwest corner of Stevenson Road South and Phillip Murray Avenue

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Recommendation (Carried – See Page 4)

1. That based on Report CS-21-07, dated January 13, 2021, active recreational opportunities as originally recommended in the City's Parks, Recreation, Library, Culture and Facility Needs Assessment are not appropriate uses for the vacant undeveloped site located at the southwest corner of Stevenson Road South and Phillip Murray Avenue, given the significant natural features and that passive recreation uses are more appropriate for the site; and,
2. That based on Report CS-21-07, dated January 13, 2021, City staff retain a consultant to develop passive recreational concepts for the site for Council's consideration, which respect and protect the significant natural environmental features of the site; and,
3. That based on Report CS-21-07, dated January 13, 2021, the remaining uncommitted funds from Capital Projects 17510066 and 18500003 be used for detailed design and public consultation; and,
4. That based on Report CS-21-07, dated January 13, 2021, the contract with Landscape Planning Limited be terminated due to substantial changes in the scope of the project.

CS-21-08 Speed Limit Reduction on Grandview Street North between Rossland Road East and Taunton Road East

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Recommendation (Carried – See Page 4)

Whereas Grandview Street North between Rossland Road East and Taunton Road East is approximately 2.4 km in length and the posted speed limit changes from 50 km/h to 40 km/h and back to 50 km/h a total of 4 times; and,

Whereas these changing speed limits can be confusing to drivers causing many to exceed the 40 km/h limit near the three parks located on Grandview Street;

Therefore in order to enhance safety on this street the posted speed limit for the entire length of Grandview Street North between Rossland Road East and Taunton Road East be posted as 40 km/h.

CS-21-09                      Speed Limit Reduction for the Entire Length of Grand Ridge Avenue

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Recommendation                      (Carried – See Page 4)

Whereas Grand Ridge Avenue is a dead-end street running west from Harmony Road North for a distance of approximately 500 meters; and

Whereas the posted speed limit is 50 km/h for the first 120 meters and then reduces to 40 km/h approaching St. Joseph Catholic School and Grand Ridge Park; and

Whereas many vehicles travelling west from Harmony Road are not slowing from the posted 50 km/h speed at the point where the posted speed reduces to 40 km/h;

Therefore in order to enhance safety on this street the posted speed limit for the entire length of Grand Ridge Avenue be posted as 40 km/h.

### **Report of the Corporate Services Committee**

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

CORP-21-01                      Dogs Running at Large and Responsible Pet Owners By-law 14-2010

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Recommendation                      (Carried – See Page 4)

1.        That a copy of Report CORP-21-01 concerning dogs running at large and Responsible Pet Owners By-law 14-2010 be forwarded to Mr. Vice and that he be thanked for his request; and,
2.        That Municipal Law Enforcement and Licensing Services be directed to work with Corporate Communications to develop a communication plan to increase awareness of the Running at Large regulations.

## Report of the Development Services Committee

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

DS-21-05

1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
  2. Declaration of the City-owned Murton Street Road Allowance as Surplus
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Recommendation

(Carried – See Page 17)

1. That, pursuant to Report DS-21-05 dated January 6, 2021, the revised application submitted by Whitby Meadows Inc. to amend the Oshawa Official Plan and Pinecrest Part II Plan (File: OPA-2014-02) to implement a revised draft plan of subdivision (File: S-O-2018-01) for 595 to 667 Taunton Road East, the unimproved Murton Street road allowance and the abutting lands south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Development Services Department and Legal Services; and,
2. That, pursuant to Report DS-21-05 dated January 6, 2021, the revised application submitted by Whitby Meadows Inc. to amend Zoning By-law 60-94 (File: Z-2014-01) to implement a revised draft plan of subdivision (File: S-O-2018-01) for 595 to 667 Taunton Road East, the unimproved Murton Street road allowance and the abutting lands south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance be approved generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Development Services Department and Legal Services; and,

3. That, pursuant to Report DS-21-05 dated January 6, 2021, the revised application submitted by Whitby Meadows Inc. for a draft plan of subdivision (File: S-O-2018-01) featuring 11 lots for single detached dwellings, 4 blocks for 16 street townhouses, 2 blocks for up to 78 block townhouses, 1 future residential block, 1 block for medium density residential and mixed use development with up to 25 residential units and 500 square metres (5,382 sq. ft.) of commercial floor area, a commercial block (to be consolidated with the Murton Street road allowance) with up to 4,800 square metres (51,668 sq. ft.) of commercial floor area, a future development block, a road widening block, a future road block, two (2) new collector roads and a new local road be approved, subject to the conditions as generally set out in Attachment 13 of said Report; and,
4. That, pursuant to Report DS-21-05 dated January 6, 2021, the subdivision agreements for Registered Plans 40M-2157 and 40M-2309 be discharged from the lands owned by Whitby Meadows Inc. subject to revised draft plan of subdivision S-O-2018-01 upon registration of a subdivision agreement for said subdivision; and,
5. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-18-138 dated September 6, 2018 presented at the public meeting of September 10, 2018 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this recommendation, such differences are not substantial enough to require further notice and another public meeting; and,
6. That, pursuant to Report DS-21-05 dated January 6, 2021, the lands described as Lots 1 to 8 and Blocks 12 to 14 and 16 in draft plan of subdivision S-O-2018-01 are hereby classified as a Class 4 Area as defined in the Ministry of the Environment, Conservation and Parks Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources); and,
7. That a copy of Report DS-21-05 dated January 6, 2021 and a copy of the decision of Council to classify Lots 1 to 8 and Blocks 12 to 14 and 16 in draft plan of subdivision S-O-2018-01 as a Class 4 Area be forwarded to Coco Paving Inc.; and,
8. That, pursuant to Report DS-21-05 dated January 6, 2021, the City-owned unimproved Murton Street road allowance and associated 0.3 metre (1 ft.) reserve, shown on Attachments 1 and 2 to said Report, be declared surplus to

municipal needs and requirements and that the requirement to declare a City-owned property first as potentially surplus and all notice requirements in accordance with By-law 97-2000 be waived, given the localized nature of the matter and the Planning Act Public Meetings held on September 8, 2014 and September 10, 2018; and,

9. That, pursuant to Report DS-21-05 dated January 6, 2021, the City-owned unimproved Murton Street road allowance be formally closed by by-law as a public highway and that the notice requirements (e.g. newspaper advertisements) of the City's Notice By-law 147-2007, as amended, be waived given the public process that occurred during the review and consideration of all the subject development applications; and,
10. That the Taunton-Harmony Corridor Study Final Report – Recommended Land Use Plan and Urban Design Concept as approved by City Council on January 13, 2003, as amended, be further amended to:
  - a. Show the lands municipally known as 667 Taunton Road East as Medium Density Residential II and continue to allow Medium Density Residential I uses; and,
  - b. Show the lands municipally known as 595 and 645 Taunton Road East and the Murton Street road allowance as Planned Commercial Centre.

DS-21-06

Request by 739-787 Conlin Road Ltd. (Stafford Homes) to Classify a Portion of Lands as a Class 4 Area in Accordance with Ministry of Environment, Conservation and Parks' Environmental Noise Guideline

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Recommendation (Carried – See Page 4)

1. That pursuant to Report DS-21-06 dated January 6, 2021, Townhouse Block 6 within the proposed development contained in Site Plan Approval file SPA-2017-34 for 739, 757 and 787 Conlin Road East is hereby classified as a Class 4 Area as defined in the Ministry of the Environment, Conservation and Parks Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources); and,
2. That a copy of Report DS-21-06 dated January 6, 2021 and a copy of the decision of Council to classify Townhouse Block 6 within the proposed development contained in Site Plan Approval file SPA-2017-34 for 739, 757 and 787 Conlin Road East as a Class 4 Area be forwarded to the Ministry of

Environment, Conservation and Parks, the Trustees of the Harmony Heights (Kingdom Hall of Jehovah's Witnesses at 1950 Wilson Road North) and Stafford Homes.

DS-21-07 City Comments on Recommended Alternative for Bloor Street East Environmental Assessment from east of Harmony Road South to east of Grandview Street South

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Recommendation (Carried – See Page 4)

That the comments contained in Report DS-21-07 including Attachment 3 dated January 6, 2021 be endorsed as the City's comments with respect to the Recommended Alternative for the Bloor Street East Municipal Class Environmental Assessment.

DS-21-13 Provincial Occupancy Restrictions on local Businesses during the COVID-19 Pandemic

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Recommendation (Carried – See Page 17)

Whereas, the Provincial restrictions placed on businesses during the COVID-19 Pandemic have had a significant economic impact on local businesses across Ontario, including Oshawa; and,

Whereas, the maximum occupancy restrictions when businesses are open to the public appear to be arbitrarily based on a single number of customers no matter what the size and capacity of the business establishment; and,

Whereas, the Mayor's Task Force on Economic Recovery heard from a local restaurant business owner and their first hand experiences with the restrictions placed on local businesses; and,

Whereas, on January 8, 2021 the Task Force recommended that the City ask the Province to review and revise the maximum occupancy restrictions when businesses are open to the public such that the restrictions are based on the capacity/occupancy level of the business establishment with appropriate social distancing measures in place; and,

Whereas, it is important for the City to appropriately advocate for local businesses during the pandemic;

Therefore be it resolved:

1. That the Province be requested to appropriately review and revise the maximum occupancy restrictions when businesses are open to the public during the COVID-19 Pandemic such that the restrictions are based on the capacity/occupancy level of the business establishment with appropriate social distancing measures in place rather than

a maximum single number of customers no matter the size of the business establishment; and,

2. That a copy of this resolution be forwarded to the Premier of Ontario, Durham Region MPP's, the Region of Durham, all local Durham area municipalities and the Greater Oshawa Chamber of Commerce.

DS-21-14 Promoting Local Businesses in Builders' New Homes Sales Presentation Centres

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Recommendation (Carried – See Page 18)

Whereas, the Mayor's Economic Recovery Task Force heard from a local restaurant business owner and discussed ways that the local home builders can work with the local businesses, including local family owned restaurants and service businesses, to promote these local businesses, including any special discounts and services they provide; and,

Whereas, on January 8, 2021 the Task Force recommended that the City support an initiative where local businesses and home builders work together so that local businesses can advertise their services and specials in new home sales presentation centers in Oshawa; and,

Whereas, it is appropriate for the City to endorse initiatives that support local businesses and the City's Buy Local and Support Local businesses (Oshawa Loves Local) campaign;

Therefore be it resolved that the Durham Home Builders Association and the Greater Oshawa Chamber of Commerce be requested to work together and with the City's Economic Development staff to advance ways to advertise and support local businesses in New Home Sales Presentation Centres in Oshawa.

DS-21-15 Rescinding the Declaration of City-owned Parkland located at 81 Gladstone Avenue ("Valleyview Park") as Surplus to the City's Needs and Requirements

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Recommendation (Carried – See Page 18)

Whereas, on February 2, 2009 the northern part of Valleyview Park at 81 Gladstone Avenue was declared surplus to the City's needs and requirements, particularly since the site was zoned R4-A/R6-B (Residential) to permit apartments and townhouses; and,

Whereas, a notice of the intent to declare the subject City-owned lands surplus was published in the newspapers only; and,

Whereas, in cases such as this one, our current practice is to engage the public through a more robust process, especially those residents in the adjacent community, by direct mail prior to making a decision to declare the City-owned parkland as surplus; and,

Whereas, in light of the COVID-19 pandemic gathering restrictions and public health guidelines, the provision of quality public parks and outdoor amenity spaces for residents to remain active and gather safely has become even more imperative; and,

Whereas, parkland is important as the City experiences infill development and intensification within the built boundary;

Therefore be it resolved that City Council rescind its declaration of the City-owned parkland located at 81 Gladstone Avenue as surplus to the City's needs and requirements, and that staff be directed to investigate changing the zoning of the City-owned lands from R4-A/R6-B (Residential) to OSP (Park Open Space) through the City's annual technical amendments to the Zoning By-law 60-94.

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

The Finance Committee respectfully reports and recommends to City Council its Thirty-Fourth Report.

FIN-21-06                    Corporate Payments for the Month of October 2020 (INFO-20-238)

Recommendation                    (Carried – See Page 4)

That Report FIN-21-06 concerning the corporate payments for the month of October 2020 be received for information.

FIN-21-07                    Summary of Contracts Greater than \$500,000 Awarded During the Period of September 1, 2020 to November 30, 2020 (INFO-20-246)

Recommendation                    (Carried – See Page 18)

That Report FIN-21-07 concerning the summary of contracts greater than \$500,000 awarded during the period of September 1, 2020 to November 30, 2020 be received for information.

FIN-21-01                    First Intake – Waiving of Fees and Financial Assistance

Recommendation                    (Carried – See Page 4)

In accordance with Report FIN-21-01 concerning the First Intake – Waiving of Fees and Financial Assistance, dated January 13, 2021:

- a) That the following request for waiving of fees be approved as they meet Council approved criteria:

- Kingsview United Church UCW Rejoice Unit - \$475
  - North Oshawa Lions Club - \$135
- b) That the following request for waiving of fees be denied as it does not meet Council approved criteria:
- The Oshawa Kicks Soccer Club - \$12,000
- c) That the following requests for financial assistance be denied as they do not meet Council approved criteria:
- Letters of Happiness - \$500
  - Eastern Basketball Association - \$500.

FIN-21-02

Utility Costs and Energy Conservation

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Recommendation (Carried – See Page 4)

That Report FIN-21-02 concerning Utility Costs and Energy Conservation dated January 13, 2021, be received for information.

FIN-21-03

Supply and Delivery of Pumper Truck

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Recommendation (Carried – See Page 4)

Whereas the Purchasing By-Law 80-2020 requires Council approval to award single source contracts greater than \$100,000; and,

Whereas Council approved the award of one pumper truck through Report FIN-20-44 on September 28, 2020 to Darch Fire Inc.; and

Whereas Council approved funding for the procurements of a pumper truck in the 2021 Capital Budget, project 21130056 Corporate Fleet Acquisition; and,

Whereas it is administratively practical and cost effective to single source the 2021 pumper truck to Darch Fire Inc.,

Therefore be it resolved that the Supervisor, Purchasing and Support Services award a single source contract to Darch Fire Inc. not to exceed the Capital Budget amount of \$900,000 including non rebatable H.S.T. for one pumper truck.

FIN-21-05      Request for an Extension of Restart Agreement Fund and  
Additional Funds

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Recommendation                      (Carried – See Page 4)

Whereas on November 16, 2020 the Finance Committee referred the following motion to staff (FIN-20-74):

‘Whereas the City of Oshawa received and thanked the Province of Ontario and Federal Government for the \$4,012,000 provided under Phase I of the Safe Restart Agreement Fund; and,

Whereas Oshawa City Council was made aware Friday, November 13 that COVID-19 impacts now require measures be taken in the City’s 2021 Budget to address significant municipal operating pressures; and,

Whereas under the short timeline Oshawa did not apply for Phase 2 Safe Restart Agreement funds as the City’s need to further offset the financial consequences of COVID-19 was not as apparent as evidenced now; and,

Whereas in October 2020 the municipality of Chatham-Kent requested the Province change the eligibility of the Phase 2 Restart Agreement Fund for unconditional use in the 2021 municipal budgets in order to keep property tax increases to a minimum; and

Now therefore the City of Oshawa write to the Province and Federal government requesting:

1. That there be an extension of the Restart Agreement Fund to allow municipalities to apply by December 31, 2020 for 2021 funds; and,
2. That additional funds be provided for hard hit municipalities such as the City of Oshawa to ensure that municipal priority services, programs and reserves can be maintained in 2021 without the municipality being forced, as Oshawa is now, to reduce reserves, cancel reserve contributions, take on additional debt and raise property taxes to the detriment of the future well-being of the municipality and its citizens.’; and,

Whereas by letter dated December 16, 2020 Steve Clark, the Minister of Municipal Affairs and Housing, advised that the City would be receiving an additional \$1.697 million in funding to address 2021 COVID related operating pressures;

Therefore be it resolved that Report FIN-21-05 be received for information given the Province's announcement to provide additional funding to the City to address 2021 COVID related operating costs.

## **Staff Reports/Motions**

CNCL-21-03      COVID-19 Pandemic Response Update #5

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Recommendation      (Carried – See Page 4)

That Report CNCL-21-03, COVID-19 Pandemic Response Update #5, dated January 20, 2021, be received for information.

## **Public Discussion Agenda**

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

The recommendation to adopt the minutes of the City Council meeting of December 11, 2020 was now before City Council.

The vote to adopt the minutes of the City Council meeting of December 11, 2020 Carried.

The recommendation contained in Items CS-21-01, CS-21-02 and CS-21-03 in support of establishing an outdoor winter ice rink in Oshawa was now before City Council.

Moved by Councillor McConkey, seconded by Councillor Kerr,  
(7)      "That the motion be amended to add the words 'to be provided in the Second Quarter of 2021' to the end of Part 1; and, that the words 'for its meeting on Tuesday, January 26, 2021' to the end of Part 2." Carried

The vote to adopt the recommendation contained in Item CS-21-01, CS-21-02 and CS-21-03 Carried as amended.

The recommendation contained in Item CS-21-06 concerning a three-way stop at Celina Street and Bruce Street was now before City Council.

The vote to adopt the recommendation contained in Item CS-21-06 Carried.

The recommendation contained in Item DS-21-05 concerning development applications for 595-667 Taunton Road East, the unopened Murton Street Road allowance and lands to the south of 595-725 Taunton Road East and declaration of the City-owned Murton Street Road Allowance as surplus was now before City Council.

The vote to adopt the recommendation contained in Item DS-21-05 Carried.

The recommendation contained in Item DS-21-13 concerning Provincial occupancy restrictions on local businesses during the COVID-19 Pandemic was now before City Council.

The vote to adopt the recommendation contained in Item DS-21-13 Carried on the following

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

Negative – Councillor McConkey

Absent – None

The recommendation contained in Item DS-21-14 concerning promoting local businesses in builders' new home sales presentation centres was now before City Council.

The vote to adopt the recommendation contained in Item DS-21-14 Carried.

Moved by Councillor Chapman, seconded by Councillor Hurst,  
(8) “That Council reconsider its decision of February 2009 with respect to the declaration of City-owned parkland located at 81 Gladstone Avenue (Valleyview Park) as surplus to the City’s needs and requirements.” 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 DS-21-15 concerning rescinding the declaration of City-owned parkland located at 81 Gladstone Avenue (Valleyview Park) as surplus to the City’s needs and requirements was now before City Council.

The vote to adopt the recommendation contained in Item DS-21-15 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 FIN-21-07 the summary of contracts greater than \$500,000 awarded in the period of September 1, 2020 to November 3, 2020 was now before City Council.

The vote to adopt the recommendation contained in Item FIN-21-07 Carried on the following

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

Negative – Councillor Neal

Absent – Councillor McConkey

### **Closed Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(9) “That all items listed under the heading of Closed Consent Agenda for the Council meeting of January 25, 2021 be adopted as recommended.” Carried

### **Closed Correspondence**

None

### **Closed Standing Committee Reports**

#### **Report of the Community Services Committee**

None

#### **Report of the Corporate Services Committee**

None

#### **Report of the Development Services Committee**

The Development Services Committee respectfully reports and recommends to City Council its Fifty-Second Report.

DS-21-08                      Proposed Agreement to Purchase City-owned Land along the northerly limit of Highway 401

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

Recommendation                      (Carried – See Page 19)

That Correspondence DS-21-08 dated January 4, 2021 concerning a proposed agreement to purchase City-owned land along the northerly limit of Highway 401 be referred to staff for a report.

**Report of the Finance Committee**

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

**FIN-21-04                    2020 Year End Property Tax Arrears**

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

Recommendation                    (Carried – See Page 19)

That Report FIN-21-04, concerning 2020 Year End Property Tax Arrears dated January 13, 2021 be received for information.

**Closed Staff Reports/Motions****CNCL-21-01                    Summary of Significant Legal Claims**

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

Recommendation                    (Carried – See Page 19)

That Report CNCL-21-01 dated January 20, 2021, concerning a summary of significant legal claims be received for information.

**CNCL-21-07                    Close a portion of Howard Street as Public Highway**

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

Recommendation                    (Carried – See Page 19)

Whereas Part 8 of Reference Plan 40R-31182 forms part of City-owned property that was declared surplus on April 4, 2016 pursuant to Report DS-16-53; and,

Whereas the lands forming part of the Howard Street Road Allowance, described as Part 8 of Reference Plan 40R-31182, should be closed by By-law as a public highway;

Therefore be it resolved that lands forming part of the Howard Street Road Allowance, described as Part 8 of Reference Plan 40R-31182 be closed as a public highway by By-law; and,

That Council waive the two-week notice period required as set out in By-law 127-2007.

## **Closed Discussion Agenda**

### **Matters excluded from Closed Consent Agenda**

None

### **By-laws**

05-2021      A By-law to amend Traffic By-law 79-99, as amended  
(Implements Council direction of December 14, 2020 through Item  
CORP-20-41 of the Twenty-Fourth Report of the Corporate Services  
Committee to provide increased administrative monetary penalties for  
parking in an accessible person space.) (Carried – See Page 4)

### **Matters Tabled**

No matters were lifted from the table.

### **Notices of Motion Previously Given**

“Whereas at its meeting of December 2, 2019 Council adopted procedural changes and implemented among other meeting time changes, a change to a 4 week Council and Committee meeting rotation cycle;

And whereas during deliberations concerning the move to this 4 week cycle Oshawa Mayor indicated this could be reconsidered after a one year trial;

Now therefore Council consider a return to the 3 week Council and Committee meeting cycle for 2022.”

Moved by Councillor Marimpietri, seconded by Councillor Nicholson,  
(10) “That the notice of motion previously given concerning the Council and Committee meeting cycle be tabled.” Carried

### **Notices of Motion**

None

Moved by Councillor Kerr, seconded by Councillor Hurst,  
(11) “That the meeting recess for one hour.” Carried

The meeting recessed at 11:30 a.m. and reconvened at 12:30 p.m. with all members of Council in attendance except Councillor Neal and Mayor Carter.

Councillor Chapman assumed the Chair.

Report CNCL-21-02 concerning activities normally performed by the Board of Management of the Oshawa Central Business District Improvement Area and options for future representation for the downtown was now before City Council.

Moved by Councillor Kerr, seconded by Councillor Gray,  
(12) “That in accordance with Report CNCL-21-02, dated January 20, 2021, concerning Options for Future Representation for the Downtown, Council adopt Option 1 - City Assumes All Business Improvement Area Responsibilities (no formal entity with downtown representation).” Carried by later vote

Moved by Councillor McConkey, seconded by Councillor Giberson,  
“That Council move into Committee of the Whole.” Lost on the following vote

Affirmative – Councillors Giberson, Marks and McConkey

Negative – Councillors Chapman, Gray, Hurst, Kerr and Nicholson

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal and Mayor Carter

Moved by Councillor Giberson, seconded by Councillor Marks,  
“That the motion be amended to add the following as Part 2: ‘That staff also report back on a dormancy option similar to that used in cities such as the City of Hamilton rather than dissolution for the BIA.’” Ruled out of order by the Chair

Councillor Giberson challenged the ruling of the Chair. The Chair’s ruling was upheld by the following vote

Affirmative – Councillors Chapman, Gray, Hurst, Kerr, and Nicholson

Negative – Councillors Giberson, Marks and McConkey

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal and Mayor Carter

The vote to adopt the Option 1 – City assumed all Business Improvement Area responsibilities as set out in Report CNCL-21-02 Carried on the following

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

Negative – Councillor Giberson

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal and Mayor Carter

Moved by Councillor Nicholson, seconded by Councillor Hurst,  
(13) “That Section 26.10 a) of Council’s Procedure By law be waived in order to introduce a motion to reconsider the matter of passing a By-law to repeal By law 94-74 at this time.” Carried on the following 2/3 vote of members present and voting

Affirmative – Councillors Chapman, Gray, Hurst, Kerr, McConkey and Nicholson

Negative – Councillors Giberson and Marks

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal and Mayor Carter

Moved by Councillor Hurst, seconded by Councillor Kerr,  
(14) “That Council reconsider its decision of December 14, 2020 concerning the matter of passing a by-law to repeal By-law 94-74.” Carried on the following 2/3 vote of members present and voting

Affirmative – Councillors Chapman, Gray, Hurst, Kerr, McConkey and Nicholson

Negative – Councillors Giberson and Marks

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal and Mayor Carter

Moved by Councillor Hurst, seconded by Councillor Nicholson,  
(15) “That By-law 6-2021, being a by-law to dissolve the Oshawa Central Business District Improvement Area and its Board of Management and to repeal By-law 94-74, as amended effective February 28, 2021 be passed.” Carried on the following vote

Affirmative – Councillors Chapman, Gray, Hurst, Kerr and Nicholson

Negative – Councillors Giberson, Marks and McConkey

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal and Mayor Carter

Moved by Councillor Kerr, seconded by Councillor Hurst,  
(16) “That the meeting recess for 15 minutes.” Carried

The meeting recessed at 1:24 p.m. and reconvened at 1:40 p.m. with all members of Council in attendance except Councillor Neal.

Moved by Councillor Marimpietri, seconded by Councillor Nicholson,  
(17) “That the notice of motion previously given concerning the Council and Committee meeting cycle be lifted from the table.” Carried

Moved by Councillor Chapman, seconded by Councillor Gray,  
“That Council reconsider its decision of February 18, 2020 concerning the Council and  
Committee meeting cycle.” Lost on the following vote

Affirmative – Councillors Gray and Nicholson

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

Absent – Councillors McConkey and Neal

### **Confirming By-Law**

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

7-2021      A by-law to confirm the City Council meeting of January 25, 2021.

### **Adjourn**

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

The meeting adjourned at 1:42 p.m.