Minutes of the Development Services Committee meeting held in the Committee Meeting Room, Council Building, Oshawa Civic Administration Complex at 1:30 p.m. and of a public meeting held pursuant to the Planning Act in the Council Chamber at 6:30 p.m. on Monday, May 6, 2019

Present: Councillor Marimpietri, Chair
Councillor McConkey, Vice-Chair
Councillor Chapman, Member
Councillor Hurst, Member
Councillor Kerr, Member
Mayor Carter, Ex Officio (entered the meeting at 1:41 p.m., left the meeting at 3:50 p.m.)

Also Present: Councillor Nicholson
H. Leznoff, Council-Committee Coordinator
L. Davis, Council-Committee Coordinator
W. Munro, Commissioner, Development Services
K. Benham, Director, Economic Development Services
J. Shestowsky, Manager, Administrative Services
M. Harrington, Principal Planner
L. Brown, Planner A
C. Leherbauer, Planner A
V. White, Planner A

Absent: None.

Public Agenda

Additional Agenda Items

Moved by Councillor McConkey,
“That Correspondence DS-19-84 submitted by Ihor George Lysyk on behalf of Owen Brash and Ethel Larocque related to Item 1 of Report DS-19-76 concerning 344 Thornton Road North and a delegation request by Brian Eagen related to Report DS-19-80 be added to the Development Services Committee agenda for May 6, 2019.” Carried

Declarations of Pecuniary Interest

Councillor Marimpietri made a declaration of interest concerning Report DS-19-72 related to amendments to the Oshawa Official Plan and Zoning By-law 60-94 for part of the Northwood Business Park as his family owns property and resides in the area and did not take part in discussion or voting on the matter.

Presentations

Susan Hall, Chair, Oshawa Environmental Advisory Committee provided a presentation concerning the Committee’s 2018 accomplishments and 2019 work plan.

Mayor Carter entered the meeting.

The Committee questioned Susan Hall.
Delegations

Moved by Councillor McConkey,
"That the delegations of Ann Dulhanty be heard." Carried.

Ann Dulhanty, addressed the Development Services Committee on behalf of Heritage Oshawa in support of the designation of 425 Simcoe Street North.

Ann Dulhanty addressed the Development Services Committee on behalf of Heritage Oshawa in support of the designation of 344 Thornton Road North.

The Committee questioned Ann Dulhanty.

Correspondence Requiring Direction

DS-19-84  Ihor George Lysyk – Submitting Correspondence on behalf of Owen Brash and Ethel Larocque Related to Item 1 of DS-19-76, the Sixth Report of Heritage Oshawa concerning 344 Thornton Road North

Moved by Councillor Chapman,
"That Correspondence DS-19-84 from Ihor George Lysyk concerning 344 Thornton Road North be referred to Item 1 of Report DS-19-76.” Carried

Referrals from Council and Standing Committees

DS-19-82  Aggregates and Asphalt Recycling Policy

“Whereas the City of Oshawa is committed to environmental sustainability and best practices associated with the reuse and recycling of construction materials associated with its civil infrastructure construction and maintenance programs; and,

Whereas the City of Oshawa wishes to be a leader in environmental stewardship with respect to construction and maintenance of its roads and all other civil infrastructure works;

Therefore the City of Oshawa is hereby committed to the use of recycled construction aggregates and hot mix asphalt to maximum levels consistent with sound engineering and construction standards as determined by the Ontario Provincial Standards and Specifications (O.P.S.S.); and

Specifically, that the City of Oshawa hereby directs all departments or divisions responsible for civil infrastructure works to implement policies of specifying and requiring the reuse of recycled concrete and asphalt pavement as construction aggregates and new hot mix asphalt in all of their civil infrastructure construction and maintenance contracts to the greatest possible extent as permitted by O.P.S.S. 1010 – Material Specification for Aggregates Base, Subbase, Select Grade and Backfill
Moved by Councillor Chapman, “That City Council Referral DS-19-82 concerning the Aggregates and Asphalt Recycling Policy be referred to staff.” Carried

Reports from Advisory Committees

Report of Heritage Oshawa (DS-19-76)
Heritage Oshawa respectfully reports and recommends to the Development Services Committee its Sixth Report.

1. 344 Thornton Road North, Request for Comment on Proposed Demolition (HTG-19-45)

Recommendation

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

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

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

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

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

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

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

Whereas the Heritage Oshawa Advisory Committee Mandate states: “Cultural heritage resources enhance the quality of life for Oshawa citizens by providing a connection to the community’s past and creating a sense of place. These historical buildings and landscapes add an economic benefit to the city while contributing to making Oshawa a beautiful place to live”; and
Whereas Heritage Designation recognizes the importance of a property to the local community, protects the property’s cultural heritage value, encourages good stewardship and conservation, and promotes knowledge and understanding about the property; and

Whereas the advantages of Heritage Designation include:

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

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

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

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

Whereas owners of Designated Properties are not:

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

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

Moved by Councillor Chapman,
“That Item 1 of Report DS-19-76 concerning 344 Thornton Road North be received for information.” Deferred by the following motion
Moved by Councillor Chapman, “That comments from the Development Services Committee concerning Item 1 of Report DS-19-76 be deferred until after the delegations.” Carried on the following vote

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

Negative – None

Absent – None

Moved by Mayor Carter, “That the rules of procedure be waived in order to hear the delegations of Emilio Zigone and Ihor George Lysyk concerning 344 Thornton Road North.” Carried on a 2/3 vote of members present

Moved by Mayor Carter, “That the delegations of Emilio Zingone and Ihor George Lysyk be heard.” Carried

Emilio Zingone addressed the Development Services Committee in opposition to the designation of 344 Thornton Road North.

The Committee questioned Emilio Zingone.

Ihor George Lysyk addressed the Development Services Committee in opposition to the designation of 344 Thornton Road North.

The Committee questioned Ihor George Lysyk.

The following was now before the Committee:

“That Item 1 of Report DS-19-76 concerning 344 Thornton Road North be received for information.” Carried on the following vote

Affirmative – Councillors Chapman, Kerr, Marimpietri, and Mayor Carter

Negative – Councillors Hurst and McConkey

Absent – None

2. **Designation of 425 Simcoe Street North** (HTG-19-40 – Item 3)

Recommendation

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

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

Whereas 425 Simcoe Street North, built in 1919, has design and physical value as a highly unusual example of a Georgian Revival with an asymmetrical front
Whereas 425 Simcoe Street North has associative value as the home of several prominent Oshawa families that played a significant role in the economic development of Oshawa, such as executives from General Motors and the Canadian Bank of Commerce and a teacher from O'Neill Collegiate; and,

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

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

Whereas the advantages of Heritage Designation include:

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

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

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

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

Whereas 425 Simcoe Street North, built in 1919, has design and physical value as a highly unusual example of a Georgian Revival with an asymmetrical front entrance with
columned portico, and preserves the original pebbledash exterior, windows and pressed cement walkway; and,

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

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

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

Whereas the advantages of Heritage Designation include:

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

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

Reports/Motions Requiring Action

None.

Public Consent Agenda

Moved by Councillor McConkey,
“That all items listed under the heading of Public Consent Agenda for the May 6, 2019 Development Services Committee meeting be adopted as recommended except Reports DS-19-72 and DS-19-83.” Carried
Correspondence

DS-19-81  Jacqueline Villeneuve – Designation of 425 Simcoe Street North

Recommendation  (Carried - See Page 7)


Reports

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

Recommendation  (Carried - See Page 7)

That the Development Services Committee recommend to City Council:

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

a) Prepare a Notice of Intention to Designate the property located at 46 Riverside Drive North under the Ontario Heritage Act which will generally include the Designation Statement and Description which forms Attachment 4 to DS-19-70, which has received input from Heritage Oshawa and the owner; and,

b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers; and,

c) Forward the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and

d) Prepare the necessary by-law which will generally include the Designation Statement and Description which forms Attachment 4 to Report DS-19-70, which has received input from Heritage Oshawa and the owner for subsequent consideration by Council.

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

Recommendation  (Carried - See Page 7)

That the Development Services Committee recommend to City Council:

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

a) Prepare a Notice of Intention to Designate the property located at 300 Ritson Road South under the Ontario Heritage Act which will generally include the Designation Statement and Description which forms Attachment 4 to DS-19-71, which has received input from Heritage Oshawa and the owner; and,

b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers; and,

c) Forward the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,

d) Prepare the necessary by-law which will generally include the Designation Statement and Description which forms Attachment 4 to DS-19-71, which has received input from Heritage Oshawa and the owner, for subsequent consideration by Council.

DS-19-72

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

Recommendation (Carried - See Page 12)

That the Development Services Committee recommend to City Council:

1. That the recommended City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94, for part of the Northwood Business Park as generally set out in Report DS-19-72 dated May 1, 2019 be approved and that the appropriate amendment by-laws be passed in a form and content acceptable to the City Solicitor and City Manager.

2. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that certain City-initiated Amendments proposed in the public meeting report at the public meeting differs from that approved by City Council, such differences are not substantial enough to require further notice and another public meeting.

3. That in accordance with Report DS-19-72, the Northwood Industrial Park Concept Plan dated April 16, 1992, as amended, be rescinded.
Recommendation (Carried - See Page 7)

That the Development Services Committee recommend to City Council:


2. That staff be authorized to forward a copy of Report DS-19-77 dated May 1, 2019 and the related Council resolution to the Region of Durham and Durham area municipalities.

Recommendation (Carried - See Page 12)

That the Development Services Committee recommend to City Council:

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

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

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

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

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

“(2) This Part applies to property,

(a) that is owned by the Crown in right of Ontario or by a prescribed public body;” and,
Whereas Sections 26.1(1) and 39.1.1(1) of the Ontario Heritage Act provide that Part IV and Part V of the Act do not apply to property described in clause 25.2(2)(a) of the Act; and,

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

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

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

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

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

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

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

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

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

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

Whereas in view of the foregoing, it is evident that Metrolinx is fully aware of the cultural heritage value of 500 Howard Street, and any further effort by the City to recognize the heritage value of the property through designation under the Ontario Heritage Act is not possible under the provisions of the Act;
Therefore be it resolved that DS-19-83 regarding Heritage Designation of 500 Howard Street, former Ontario Malleable Iron Building (HTG-19-22 –Item 9) be received for information.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Hurst, “That the Development Services Committee adopt the recommendation contained in Report DS-19-83 concerning the heritage designation of 500 Howard Street, former Ontario Malleable Iron Building.” Carried on the following vote

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

Negative – None

Absent – None

Moved by Councillor McConkey
“That the Development Services Committee adopt the recommendation contained in Report DS-19-72 concerning city-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94 for part of the Northwood Business Park.” Carried on the following vote

Affirmative – Councillors Chapman, Hurst, Kerr and Mayor Carter

Negative – Councillor McConkey

Absent – None

Declaration of Interest – Councillor Marimpietri

Items To Be Introduced By Councillors

DS-19-85 Flood and Erosion Control and Natural Hazard Prevention

Moved by Councillor Chapman, “That the Development Services Committee recommend to City Council:

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

Whereas we are experiencing more severe and more frequent weather events impacting our communities; and,
Whereas the Ontario Government’s “Made – in- Ontario Environment Plan” identifies protecting people, property and natural resources from the threats and impacts of extreme weather and flooding as part of the “core mandate” of conservation authorities; and,

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

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

Therefore by it resolved that the Council of the city of Oshawa objects to the cutback to the provincial Transfer Payment to Ontario’s conservation authorities for Flood and Erosion Control and Natural Hazard Prevention and asks the Government of Ontario to:

1. Reinstate the full funding for the 2019-2020 fiscal year; and,

2. Consult directly with Conservation Authorities, Conservation Ontario and Association of Municipalities of Ontario with respect to future funding and delivery of natural hazard programing; and

That the motion was circulated to the Central Lake Ontario Conservation Authority, Conservation Ontario, the Association of Municipalities of Ontario, the Region of Durham, Durham Region Municipalities and MPPs.” Carried on the following vote

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

Negative – None

Absent – None

DS-19-86 Reuse and Recycling of Sand from Street Cleaning

Moved by Councillor McConkey,
“That the Development Services Committee recommend to City Council:

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

That this item be referred to the Community Services Committee. ” Carried on the following vote

Affirmative – Councillors Chapman, Hurst, Kerr, McConkey, and Marimpietri

Negative – Mayor Carter

Absent – None
Moved by Councillor McConkey, “That staff investigate providing a link on the Committee of Adjustment tab on the City’s website to identify the information available on the OMB and LPAT websites.” Carried

Moved by Councillor McConkey, “That the Development Services Committee recommend to City Council:

That staff investigate a process that will find a way for the Region to support an entrance/exit to a parking lot for the Chartwell Seniors Residence planned for 1321 Ormond to accommodate staff parking and alleviate the parking and congestion on Ormond Drive.” Carried as amended by later vote

Moved by Councillor McConkey, “That the motion be amended to replace the words ‘staff investigate’ with the words ‘Council support Regional staff further investigate’. “Carried on the following vote

Affirmative – Councillors Hurst, Kerr, McConkey, Marimpietri and Mayor Carter

Negative – Councillor Chapman

Absent – None

The vote on the main motion Carried as amended.

Closed Consent Agenda

Closed Correspondence

None.

Closed Reports

DS-19-78 Cedardale Realty Holdings Inc. – Requesting a New Licence Agreement for a Portion of City Land Located at 99 Thornton Road South

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

Recommendation (Carried - See Page 16)

That Correspondence DS-19-78 dated April 3, 2019 concerning a request for a new licence agreement for a portion of city land located at 99 Thornton Road South be referred to staff for a report.
DS-19-79 2094874 Ontario Ltd. – Request to Extend Jubilee Pavilion Lease

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

Recommendation (Carried - See Page 16)

That Correspondence DS-19-79 dated April 10, 2019 from 2094874 Ontario Ltd. concerning a request to extend the Jubilee Pavilion lease be referred to staff for a report.

Discussion Agenda

Matters Excluded From Closed Consent Agenda

Mayor Carter left the meeting.

Moved by Councillor McConkey,
“That the delegation of Brian Eagen be heard.” Carried

Moved by Councillor McConkey,
“That the meeting recess for 5 minutes in order to shut down the web stream; and,

That in accordance with Section 239(2) of the Municipal Act, the meeting reconvene in a session closed to the public to hear the delegation by Brian Eagen related to Report DS-19-80, consider Correspondence DS-19-78, submitted by Cedardale Realty Holdings Inc. concerning a request for a new licence agreement for a portion of City Land Located at 99 Thornton Road South, Correspondence DS-19-79 submitted by 2094874 Ontario Ltd. concerning a request to extend the Jubilee Pavilion lease, and to consider Report DS-19-80 concerning a request for an agreement to permit an encroachment on City owned open space, all items related to proposed or pending acquisition or disposition of land by the municipality.” Carried

The Committee recessed at 3:55 p.m. and reconvened at 4:06 p.m. in closed session with the following in attendance: Councillors Chapman Hurst, Kerr, Marimpietri, and McConkey. Also in attendance were Councillor Nicholson; the Council-Committee Coordinators; the Commissioner, Development Services Department; the Principal Planner; V. White and L. Brown, Planner A; and Brian Eagen.

All other staff and members of the public left the meeting.

Closed meeting discussions took place.

Brian Eagen left the meeting.

Closed meeting discussions continued.

Moved by Councillor McConkey,
“That the Committee rise from closed session and report.” Carried

The Committee rose from closed session at 4:44 p.m.
Closed Meeting Report

The following is a summary of the closed portion of the meeting.

Brian Eagen addressed the Development Services Committee concerning Report DS-19-80 concerning a request for an agreement to permit an encroachment on City owned open space.

Members of the Committee questioned Brian Eagen.

Brian Eagen left the meeting.

The Committee questioned the Commissioner, Development Services Department regarding Report DS-19-78 concerning a request for a new licence agreement for a portion of City land located at 99 Thornton Road South.

The Committee questioned the Commissioner, Development Services Department regarding Report DS-19-79 concerning a request to extend Jubilee Pavilion lease.

The Committee questioned the Commissioner, Development Services Department regarding Report DS-19-80 concerning a request for an agreement to permit an encroachment on City owned open space.

This concludes the closed meeting report.

Moved by Councillor McConkey, “That Development Services Committee adopt the recommendations contained in Report DS-19-78 concerning a request for a new licence agreement for a portion of city land located at 99 Thornton Road South and DS-19-79 concerning a request to extend the Jubilee Pavilion Lease.” Carried

Closed Correspondence Requiring Action

None.

Closed Reports/Motions Requiring Action

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

Recommendation (Replaced – See Page 17)

It is recommended that the Development Services Committee select the appropriate option set out in Section 5.4 of Report DS-19-80 dated May 1, 2019.
Moved by Councillor Kerr, “That Development Services Committee recommend to Council:

That, pursuant to Report DS-19-80 dated May 1, 2019, Development Services staff be directed to advance Option 2 as set out in Section 5.4.2 of Report DS-19-80 as the City’s response to the request for an encroachment agreement on part of the City owned open space.” Lost on the following vote

Affirmative – Councillor Kerr

Negative – Councillors Chapman, Hurst, McConkey and Marimpietri

Absent – None

Moved by Councillor McConkey, “That Development Services Committee recommend to Council:

That, pursuant to Report DS-19-80 dated May 1, 2019, City staff be directed to advance Option 1 as set out in Section 5.4.1 of Report DS-19-80 as the City’s response to the request for an encroachment agreement on part of the City-owned open space.” Carried on the following vote

Affirmative – Councillors Chapman, Hurst, Kerr, McConkey, and Marimpietri

Negative – None

Absent – None

Recess

Moved by Councillor Chapman, “That the meeting recess.” Carried

The meeting recessed at 4:51 p.m. and reconvened at 6:30 p.m. in the Council Chamber for the purpose of holding a Public Meeting under the Planning Act to consider three applications with the following in attendance: Councillors Marimpietri, McConkey, Chapman, Hurst, Kerr, Mayor Carter, Councillors Giberson and Neal. Also in attendance were the Council-Committee Coordinator; the Commissioner, Development Services Department;; M. Jones, Senior Planner; R. Bedic, Senior Planner; T. Ryan, Planner A; and S. Lupton, Downtown and Business Development Manager.
Planning Act Public Meeting

Council Chamber

6:30 p.m.

Additional Agenda Items

None.

Declarations of Pecuniary Interest

None.

The Chair advised that as the presenter for Application 1: DS-19-73 was not present at the start of the meeting, Application 2 would be dealt with first.

Application 2: DS-19-74

Presentation

Rodger Miller, Miller Planning Services provided an overview of the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

Delegations

Daniel Rideout addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

Crispen Smith addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

Anne Marie Lyth addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

David Zatzman addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

Jane Clark addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

Alex Telfer addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.
Paul McCullough addressed the Development Services Committee concerning the application submitted by Miller Planning Services on behalf of 2604573 Ontario Inc. to amend Zoning By-law 60-94 for lands located at 291 King Street East.

**Correspondence**

None.

**Reports**

- **DS-19-74** Application to Amend Zoning By-law 60-94 for lands at 291 King Street East

Moved by Mayor Carter,

“That, pursuant to Report DS-19-74 dated May 1, 2019, the application submitted by 2604573 Ontario Inc., to amend Zoning By-law 60-94 (File Z-2019-03) to permit a medical office as an additional permitted use at 291 King Street East be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried

Councillor Giberson left the meeting.

**Application 1: DS-19-74**

**Presentation**

Bob Martindale, Martindale Planning Services provided overview of the application submitted by Roy and Susan Robinson to amend Zoning By-law 60-94 for lands located at 430 Howden Road West.

**Delegations**

None.

**Correspondence**

None.

**Reports**

- **DS-19-73** Application to Amend Zoning By-law 60-94, 430 Howden Road West, Thornlea Farms Ltd.

Moved by Mayor Carter,

“That, pursuant to Report DS-19-73 dated May 1, 2019, the application submitted by Thornlea Farms Ltd. to amend Zoning By-law 60-94 (File Z-2019-05) to permit a second farm dwelling as an additional permitted use at 430 Howden Road West be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried
Councillor Neal left the meeting.

**Application 3: DS-19-75**

**Presentation**

Michael Fry, D.G. Biddle & Associates Limited provided an overview of the application submitted by Brent Foley of 1825576 Ontario Limited to amend Zoning By-law 60-94 for lands located at 450-464 Taunton Road West

**Delegations**

None.

**Correspondence**

None.

**Reports**

DS-19-75 Application to Amend Zoning By-law 60-94, Brent Foley of 1825576 Ontario Limited, 450-464 Taunton Road West

Moved by Mayor Carter, "That, pursuant to Report DS-19-75 dated May 1, 2019, the application submitted by Brent Foley of 1825576 Ontario Limited to amend Zoning By-law 60-94 (File Z-2019-04) to permit additional Select Industrial uses at 450-464 Taunton Road West be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval." Carried

**Adjournment**

Moved by Councillor Chapman, "That the meeting adjourn." Carried

The meeting adjourned at 8:00 p.m.