

Minutes of the Development Services Committee meeting held in the Committee Meeting Room, Council Building, Oshawa Civic Administration Complex on Monday, January 14, 2019 at 1:30 p.m.

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 2:02 p.m.)

Also

Present: Councillor Gray (left the meeting at 4:14 p.m.)
Councillor Neal (entered the meeting at 1:52 p.m.)
Councillor Nicholson (left the meeting at 4:46 p.m.)
L. Davis, Committee Co-ordinator
H. Leznoff, Committee Co-ordinator
P. Ralph, Commissioner, Development Services
W. Munro, Director, Planning Services
K. Benham, Director, Economic Development Services
J. Shestowsky, Manager, Administrative Services
M. Leonard, Chief Building Official
T. Goodeve, Manager Policy
L. Moebs, Principal Planner
R. Bedic, Senior Planner
C. Leherbauer, Planner A
M. Sluggett, Manager of Traffic, Street Lighting and Parking Services
B. Murphy, Marketing and Investment Attraction Manager
S. Lupton, Downtown and Business Development Manager
M. Cousineau, Economic Development Officer
L. Arshad, Business Intelligence Coordinator

Absent: None.

Public Agenda

Additional Agenda Items

Moved by Councillor McConkey,
“That the additional information from David Smith related to Correspondence DS-19-12 be added to the agenda for the Development Services Committee meeting of January 14, 2019.” Carried

Declarations of Pecuniary Interest

None.

Presentations

Kyle Benham, Director, Economic Development Services provided a presentation regarding the economic development activities.

Councillor Neal entered during the presentation.

The Committee questioned the Director, Economic Development Services.

Delegations

Moved by Councillor McConkey,
“That the delegations by Grant Karcich, David E. Smith and Michael Fry be heard.”
Carried

Grant Karcich was not in attendance to address the Committee.

David E. Smith addressed the Development Services Committee concerning Report DS-19-06 regarding the new Heritage Research Report for 494 King Street East requesting that staff forward the report to Heritage Oshawa and stating that staff have been promoting development of this land. David Smith requested that the item be provided to Heritage Oshawa without the language in the recommendation on the Consent Agenda.

The Committee questioned David E. Smith.

Michael Fry addressed the Development Services Committee concerning Item 1 of DS-19-07, being the First Report of Heritage Oshawa regarding the designation of Harmony Public School, 149 Harmony Road South (HTG-18-61), requesting that this matter be deferred to a late date and stating that the owner purchased the land with the understanding that it would not be designated.

The Committee questioned Michael Fry.

Correspondence Requiring Direction

DS-19-08 Durham District School Board- Various Surplus Properties

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

That pursuant to Item DS-19-08, the Durham District School Board be advised that the City of Oshawa has an expression of interest in acquiring the various properties set out in the correspondence dated November 8, 2018 from DDSB, and that staff be directed to report back to Development Services Committee on the outlined properties.” Carried by the following vote

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

Negative – None

Declaration of Interest – None

Absent – None

Referrals from Council and Standing Committees

None.

Reports from Advisory Committees

Report of Heritage Oshawa (DS-19-07)

Heritage Oshawa respectfully reports and recommends to the Development Services Committee its First Report

1. Designation of Harmony Public School (HTG-18-61)

Recommendation (Referred – See Page 9)

Whereas Heritage Oshawa has a research report on Harmony Public School at 149 Harmony Road South which is a Class A property in the Heritage Oshawa Inventory and recommended designation; and,

Whereas Harmony Public School was built in 1924, the year of incorporation for the City of Oshawa; and,

Whereas Harmony Public School has architectural value as a rare example of a schoolhouse of Classic Revival style with an elaborate Greek Doric portico entrance, an embodiment of a philosophy of natural light, spaciousness and good ventilation introduced in the late 1800s when small wooden schoolhouses were replaced with those such as the Harmony Public School; and,

Whereas Harmony Public School has associative value as public schools have stood on the site for over 150 years, the current building was constructed at a time when the population was expanding, increasing demand for schooling; and,

Whereas Harmony Public School has associative value with the Farewell family, one of the first to settle in the Village of Harmony in 1804; and,

Whereas Harmony Public School has contextual value as a landmark in the City of Oshawa, near the Farewell Cemetery; and,

Whereas the benefits of designating this property include promoting knowledge and understanding of Oshawa’s cultural heritage, recognizing highly visible resources, recognizing the community’s identity, and inspiring pride in Oshawa’s citizens because the City has been built with care, thought, and hard work over the past 200 years; and,

Whereas the responsibilities of the owners of designated properties do not extend to upkeep or expenses beyond those of any property owner;

Therefore be it resolved that the building and site at Harmony Public School be designated as a property of cultural heritage significance under the Ontario Heritage Act.

2. Designation of Ritson Public School (HTG-18-62)

Recommendation (Referred – See Page 9)

Whereas Heritage Oshawa has a research report on Ritson Public School at 300 Ritson Road South, a class B property in the Heritage Oshawa Inventory and recommended designation; and,

Whereas Ritson Public School, originally built in the 1923 and added to unobtrusively several times since, has architectural value with a neo-gothic central entranceway, and many windows on the east and west sides to increase natural light. The style is Collegiate Gothic, blending the ornate entrances with the simplicity of Modern Classicism; and,

Whereas Ritson Public School has associative value with John Ritson, Oshawa’s first teacher who came to the City in 1820, and originally owned the land where the school now stands; and,

Whereas Ritson Public School has contextual value with the development of the City of Oshawa and is named after John Ritson; and,

Whereas Ritson Public School has contextual value as a landmark in the City of Oshawa, sitting on a prominent rise on Ritson Road South; and,

Whereas the benefits of designating this property include promoting knowledge and understanding of Oshawa’s cultural heritage, recognizing highly visible resources, recognizing the community’s identity, and inspiring pride in Oshawa’s citizens because the City has been built with care, thought and hard work over the past 200 years; and,

Whereas the responsibilities of the owners of designated properties do not extend to upkeep or expenses beyond those of any property owner;

Therefore be it resolved that the building and site at Ritson Public School be designated as a property of cultural heritage significance under the Ontario Heritage Act.

Report of Heritage Oshawa (DS-19-11)

Heritage Oshawa respectfully reports and recommends to the Development Services Committee its Second Report.

1. Heritage Research Report: Rundle House, 46 Riverside Drive North (HTG-18-66)

Recommendation (Referred – See Page 9)

Whereas the property at 46 Riverside Drive North, c. 1928, has been identified as meeting the three categories of design and physical value (1.[i.]), historical or associative value (2.[i.]), and contextual value (3.[i]) criteria for Part IV designation under Regulation 9/06 of the Ontario Heritage Act, as determined by a Heritage Consultant; and,

Whereas the consultant notes that the property merits designation under criterion 1 (i) as being 'representative of the English Tudor Style, particularly the entrance with a projecting frontispiece featuring a winged gable clad in stone laid in broken courses containing a round-headed door and heavy stone door surround'; under criterion 2. (i) as having associative value 'as it was the home of Dr. Frederick J. Rundle [1882–1957], who was a constant presence in his community and remained so until his passing in 1957'; and under criterion 3 (i) as having contextual value 'because 46 Riverside Drive North is important in defining, maintaining and supporting the area in which it stands because it is one of the original homes constructed on Riverside Drive North'; and,

Whereas the heritage attributes of 46 Riverside Drive North include:

- The house is an example of 'Stockbroker's Tudor' a tudor revival style with picturesque, asymmetrical massing situated on a large corner lot with mature vegetation;
- The existence of the original gardener's cottage or gatehouse (now 708 King Street East) constructed in matching tudor revival style with a unique turret on the south façade;
- The tudor revival style of wall treatment, featuring timber tudoring, infilled with plaster and red brick laid in English bond with light coloured mortar;
- A notable front entrance featuring a projecting frontispiece with a winged gable clad in stone laid in broken courses and containing a solid wood round-headed door, heavy stone door surround, and sidelights;
- A medium- to high-pitched irregular shaped roof that is a complex mix of gables trimmed with dark-coloured moulded fascia and cedar shake to create the look of a triangular pediment, some with timber tudoring infilled with white plaster;
- Flat, narrow window openings, asymmetrically placed in groups, as is typical of tudor revival style, and multipaned, hung sashes painted in dark colours with cement lugsills within the brick massing; and,

Whereas the Ministry of Culture, Sports and Tourism states 'Planning for the future of a strong, vibrant community requires knowledge of the past and an understanding of what we value in the present. Existing buildings, structures and landscapes often define a community's unique identity and give it character and a sense of place. To help guide change, it is important to identify and protect the places in the community that have cultural heritage value'; 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 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;
- 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 By-law; 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 46 Riverside Drive North be designated as a cultural heritage resource under Part IV of the Ontario Heritage Act.

2. Heritage Research Report: 2651 Harmony Road North (HTG-18-65)

Recommendation (Referred – See Page 9)

Whereas the stone farmhouse at 2651 Harmony Road North, c. 1870s has been identified as meeting the design and physical value criteria for Part IV designation under Regulation 9/06 of the Ontario Heritage Act, as determined by a heritage consultant; and,

Whereas the house is identified as ‘an excellent example of an early gothic revival stone cottage’ with one and a half storeys, a three-bay design (centre door, flanking windows); and,

Whereas the consultant notes that the property merits designation under criterion 1 (i) as ‘a rare, unique, representative or early example of a style, type, expression, material or construction method’, and that, significantly, ‘it is one of the few remaining stone houses in Oshawa that is similar in design and masonry to two other stone houses that were located in the area’ (1848 Townline Road North [demolished] and 2850 Grandview Street North), and is located in an area of rapid development; and,

Whereas the heritage attributes of 2651 Harmony Road North include:

- a gothic revival style commonly used for a 19th century ‘country dwelling house’;
- a one and a half storey, three-bay design (centre door, flanking windows);
- a small centre gable;
- verge boarding (barge boarding);
- a fieldstone foundation;
- stone and slate cladding;
- a classical front-door casing, with a transom above;
- flat, simple, symmetrically placed original 6x6 pane sash windows with segmented stone heads, and wooden frames and lugsills;
- a steep roof with a centre gable, characteristic of the gothic revival style, pierced by a tall brick chimneystack on the north end; and,

Whereas a significant number of historic farmhouses and cottages in Oshawa have been demolished due to development and the construction of Highway 407 over the past several years, including the Magner-Robson House, the Masson Farmhouse, Harriet Cock House, and the Windfields Foreman’s Residence in addition to 1848 Townline Road North; and,

Whereas the Ministry of Culture, Sports and Tourism states ‘planning for the future of a strong, vibrant community requires knowledge of the past and an

understanding of what we value in the present. Existing buildings, structures and landscapes often define a community's unique identity and give it character and a sense of place. To help guide change, it is important to identify and protect the places in the community that have cultural heritage value'; 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 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;
- Qualifying the property owner for tax credits (when available);
- Acknowledging Oshawa's architectural past;
- Contributing to the local quality of life;
- Benefiting economic sectors, including tourism;
- Promoting sound conservation practices;
- 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 By-law; 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 2651 Harmony Road North be designated as a cultural heritage resource under Part IV of the Ontario Heritage Act.

Moved by Councillor Kerr,

“That the First and Second reports of Heritage Oshawa be referred to staff for a report.”

Carried

Reports/Motions Requiring Action

None.

Public Consent Agenda

Correspondence

DS-19-12 David E. Smith – Designation of 494 King Street East

Recommendation (Tabled – See Page 15)

That the Development Services Committee recommend to City Council:

That Correspondence DS-19-12 from David E. Smith concerning the designation of 494 King Street East be referred to Heritage Oshawa as part of its consideration of the Heritage Research Report for 494 King Street East.

Reports

DS-19-01 Proposed Designation Pursuant to the Ontario Heritage Act: Central Lake Ontario Conservation Authority Office Building at 100 Whiting Avenue

Recommendation (Carried – See Page 15)

That the Development Services Committee recommend to City Council:

That, pursuant to Report DS-19-01 dated January 9, 2019, Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate 100 Whiting Avenue as a property of cultural heritage value or interest by undertaking the following:

- a) Prepare a Notice of Intention to Designate 100 Whiting Avenue under the Ontario Heritage Act;
- b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers;
- 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 include the proposed Designation Statement and Description, for subsequent approval by Council.

DS-19-03 Reinstatement of a Full Time Manager of Building Inspection Services in the Building Permit and Inspection Services Branch

Recommendation (Carried – See Page 16)

That the Development Services Committee recommend to City Council:

That pursuant to Report DS-19-03 dated January 9, 2019, Council approve the reinstatement of the Manager of Building Inspection Services as a full time exempt position located in the Building Permit and Inspection Services Branch and the cost to create a new office with furniture all to be funded from the annual payment of building permit fees and the Building Permit Reserve Fund.

DS-19-04 Integrated Columbus Part II Planning Act and Municipal Class Environmental Assessment Act Study: Status and Proposed Columbus Community Advisory Committee Terms of Reference and Membership

Recommendation (Amended – See Page 16)

That the Development Services Committee recommend to City Council:

- 1. That, pursuant to Report DS-19-04 dated January 9, 2019, Council select the five individuals from the Columbus community who have expressed an interest in participating as a member of the Columbus Community Advisory Committee, as identified in Confidential Attachment 11 to said Report, to serve as members of the Columbus Community Advisory Committee; and,
- 2. That, pursuant to Report DS-19-04 dated January 9, 2019, Council approve the proposed Terms of Reference for the Columbus Community Advisory Committee as outlined in Attachment 10 to said Report.

DS-19-05 Proposed New Telecommunication Tower on City Land at 1609 Simcoe Street South, Fontur International Inc. on behalf of Signum Wireless Corporation

Recommendation (Amended – See Page 16)

That the Development Services Committee recommend to City Council:

Whereas the City’s Telecommunication Policy as approved by City Council requires that in the event that Council approves, in principle, a lease of City land for a proposed telecommunication tower then a public meeting shall be held by the Development Services Committee to obtain public input before Council takes any formal position on the proposal; and,

Whereas the City’s Telecommunication Policy indicates that staff will only report on the proposed terms of the lease as appropriate, after Council takes a formal position in support of the proposed tower; and,

Whereas on January 30, 2018 Fontur International Inc. (Fontur) on behalf of Signum Wireless Corporation (Signum) submitted a letter (DS-18-20) proposing lease terms for a new telecommunication tower on City-owned lands at 1609 Simcoe Street South and requesting an exemption from the public meeting requirement of the City’s Telecommunication Policy; and,

Whereas the proposed telecommunication tower is to be located on the east side of Simcoe Street South, south of the Oshawa Creek and Harbour Road and is intended to have a decorative design as shown on Attachments 1 and 2; and,

Whereas on February 20, 2018 Council considered Fontur’s request (DS-18-20) and denied the request for an exemption from the public meeting requirement of the City’s Telecommunication Policy; and,

Whereas on January 4, 2019 Fontur submitted a letter containing revised lease terms resulting from discussions with City staff; and,

Whereas it is important to obtain public input and for the Development Services Committee to hold a public meeting on the proposed telecommunication tower location prior to Council taking a formal position on the proposed telecommunication tower; and,

Whereas holding a public meeting to obtain public input does not imply any form or degree of Council approval;

Therefore, be it resolved that the telecommunication tower proposed by Fontur, on behalf of Signum on City-owned land at 1609 Simcoe Street South be approved in principle for the purpose of holding a public meeting and obtaining public input as required by the City’s Telecommunication Policy.

DS-19-06 New Heritage Research Report for 494 King Street East

Recommendation (Replaced – See Page 16)

Whereas 494 King Street East (the 'subject property') is listed on the Heritage Oshawa Inventory of Heritage Properties as a Class A property built in 1880; and,

Whereas Class A properties denote properties with the highest potential for designation under the Ontario Heritage Act, 2005; and,

Whereas a Heritage Research Report for the subject property was originally prepared in May 2005, which identified physical heritage attributes relating only to the existing house; and,

Whereas on May 26, 2016, the architect retained by the current owner of the subject property made a presentation to Heritage Oshawa (Item HTG-16-72) on a pre-consultation basis outlining two options to create five new lots; and,

Whereas the first option involved the demolition of the existing house; and,

Whereas the second option involved the relocation of the existing house to one of the five proposed new lots, located at the northeast corner of Cadillac Avenue and King Street East; and,

Whereas Heritage Oshawa recommended at that time that the option which included relocating the house be pursued, and that the new homes on the four remaining lots complement and reflect the style and character of the neighbourhood; and,

Whereas during the interval between the pre-consultation presentation to Heritage Oshawa on May 26, 2016 and the owner's submission of a formal consent applications (LD 019 to 021/ 2018) to the Region of Durham Land Division Committee (L.D.C.), the owner reduced the number of proposed new lots from five to four and enlarged the size of the proposed lot on which the existing house would be relocated from the original lot contemplated in the option supported by Heritage Oshawa; and,

Whereas on March 9, 2018 Planning Services Staff forwarded comments to the L.D.C. with respect to the submission by the owner of a formal applications (LD 019 to 021/2018) to subdivide the subject property into four new lots, which would involve relocating the existing house to one of the four proposed new lots, located at the northeast corner of Cadillac Avenue and King Street East; and,

Whereas the above noted comments forwarded by Planning Services Staff included the following:

- That staff has no objection to the approval of this application subject to conditions, including the following:
 - That the existing dwelling be moved to the proposed new lot at the northeast corner of Cadillac Avenue and King Street East;
 - That the applicant is advised that a building permit is required for the relocation of the existing single-detached dwelling;
 - That the applicant is to submit updated building elevation plans to Heritage Oshawa, prior to the construction of the new dwellings; and,
 - No tree removal is permitted on each proposed lot until final approval is received for each lot; and,

Whereas on March 14, 2018 the Commissioner of Development Services made a request to the Secretary Treasurer of the L.D.C. that, at the March 19, 2018 L.D.C. meeting, the Committee hear from the applicant and all the area residents that wish to make comments, and then at that time, the applications be tabled indefinitely to allow the City to respond to the residents' concerns and provide them with any information that can be provided; and,

Whereas on March 19, 2018 the Region of Durham L.D.C. considered applications LD 019 to 021/ 2018, and decided that the applications be tabled for up to two (2) years and no later than March 2020 in order to allow the City the opportunity to respond to concerns raised by area residents with respect to the perceived effect of the consent applications on the heritage character of the subject property; and,

Whereas on March 22, 2018 David E. Smith, a local resident, addressed Heritage Oshawa concerning the subject property and recommended that Heritage Oshawa pass a new resolution concerning both the house and property, including:

- Undertaking a new heritage evaluation of the entire property and not just the house;
- Consulting neighbourhood residents;
- Rescinding Heritage Oshawa's May 26, 2016 resolution;
- Refraining from any further reference to the May 26, 2016 Heritage Oshawa resolution on a go-forward basis; and,

- Commencing the process to have the house and the property designated under the Ontario Heritage Act, 2005; and,

Whereas at the Heritage Oshawa meeting on March 22, 2018, several other local residents voiced their support of the recommendation of David E. Smith; and,

Whereas on March 22, 2018 Heritage Oshawa passed a resolution, on the basis that the original Heritage Report does not meet the standards set out in the updated Ontario Heritage Act, 2005, does not address the property associated with 494 King Street East and is incomplete in its assessment of the home, recommending to the Development Services Committee the following:

- That Heritage Oshawa commission an updated Heritage Report on 494 King Street East which includes both the house and the property;
- That pending receipt of the updated Heritage Report, Heritage Oshawa recommends to Council that the development plan remain on hold until such time as Heritage Oshawa has the opportunity to review the new Heritage Report and provide a final recommendation to Council;
- That Heritage Oshawa recommends to Council that the house and property at 494 King Street East be added to the Non-Designated Register; and,

Whereas on March 26, 2018 the Development Services Committee referred Heritage Oshawa's March 22, 2018 recommendation back to Heritage Oshawa to obtain a research report on the subject property; and,

Whereas at the Heritage Oshawa meeting on April 26, 2018 David E. Smith again addressed the committee and recommended that 494 King Street East be added to the City's Register of Properties of Cultural Heritage Value or Interest as a Non-Designated property; and,

Whereas on April 26, 2018 Heritage Oshawa, in advance of obtaining a new Heritage Research Report on the subject property, recommended to the Development Services Committee that the subject property, including the house and surrounding property with vegetation, be added to the Register as a Non-Designated property; and,

Whereas by letter dated May 4, 2018 (Correspondence DS-18-96) the owner's consultant advised the Development Services Committee that the owner has retained a qualified arborist to undertake an Arborist Report including a tree assessment for the subject property, that the owner is in the process of retaining a Heritage Consultant to undertake a Heritage Impact Assessment of the subject property and provide a professional opinion on the characteristics of the subject property as it

relates to cultural heritage value or interest, and that the owner requests that the addition of the subject property to the City's Non-Designated Register be deferred, to allow for time to undertake an Arborist Report and Heritage Impact Assessment; and,

Whereas on May 7, 2018 the Development Services Committee received the above-noted letter (i.e. Correspondence DS-18-96) and tabled Heritage Oshawa's April 26, 2018 recommendation (Item DS-18-94) that 494 King Street East, including the house and surrounding property with vegetation, be added to the Non-Designated Register; and,

Whereas Development Services staff received a new draft Heritage Research Report, commissioned by Heritage Oshawa, which has been posted on the City's website; and,

Whereas the May 2018 Heritage Research Report concluded that the subject property meets the criteria for designation under the Ontario Heritage Act, 2005 as prescribed in Ontario Regulation 9/06, on the basis of heritage attributes associated with the house; and,

Whereas it is important to obtain Heritage Oshawa's comments on the new Heritage Research Report as requested by the Development Services Committee in March 2018;

Therefore, the new Heritage Research Report dated May 2018 prepared for 494 King Street East be referred to Heritage Oshawa for input on the report.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Chapman,

"That the Development Services Committee adopt the recommendation contained in Report DS-19-01 concerning proposed designation pursuant to the Ontario Heritage Act: Central Lake Ontario Conservation Authority Office Building at 100 Whiting Avenue."

Carried

Moved by Councillor McConkey,

"That the rules to be waived to allow for an additional delegation by David E. Smith." Carried on a 2/3 vote of members present.

Moved by Councillor McConkey,

"That the delegation of David Smith relating to DS-19-12 be heard." Carried

David Smith addressed the Development Services Committee regarding Correspondence DS-19-12 concerning 494 King Street East requesting that the property as a whole be designated and requested that his correspondence be tabled for three months.

Mayor Carter left the meeting during the delegation.

The Committee questioned David Smith.

Councillor Neal left the meeting.

Moved by Councillor Chapman,
“That Correspondence DS-19-12 from David Smith concerning the designation of 494 King Street East be tabled.” Carried

Moved by Councillor McConkey,
“That the Development Services Committee adopt the recommendation contained in Report DS-19-03 concerning reinstatement of a full time Manager of Building Inspection Services in the Building Permit and Inspection Services Branch.” Carried by the following vote

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

Negative – None

Declaration of Interest – None

Absent – None

Moved by Councillor McConkey,
“That DS-19-04 be referred to the end of the meeting to be considered in Closed Session for the purpose of receiving legal advice.” Lost on the following vote

Affirmative – Councillors McConkey and Marimpietri

Negative – Councillors Chapman, Hurst and Kerr

Declaration of Interest – None

Absent – None

Moved by Councillor McConkey,
“That the Development Services Committee adopt the recommendation contained in Report DS-19-04 concerning the integrated Columbus Part II Planning Act and Municipal Class Environmental Assessment Act Study and proposed Columbus Community Advisory Committee.” Carried as amended

Councillor Gray left the meeting.

Moved by Councillor McConkey,
“That the motion be amended to add: ‘3. That going forward, the Columbus Landowners’ Group will be formally referred to as the Columbus Developers Group’.” Carried

The vote on the main motion Carried as amended on the following

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

Negative – None

Declaration of Interest – None

Absent – None

Moved by Councillor McConkey,
“That the Development Services Committee adopt the recommendation contained in Report DS-19-05, concerning proposed new telecommunication tower on City land at 1609 Simcoe Street South” Carried as amended

Moved by Councillor McConkey,
“That the motion to amended to add: “That the distribution of the notice of the Public meeting for DS-19-05 involve input from the Ward 5 Council Members and the Mayor to ensure satisfactory notification of area residents.” Carried

The vote on the main motion Carried as amended.

Moved by Councillor Kerr,
“That the new Heritage Research Report dated May 2018 prepared for 494 King Street East be referred to Heritage Oshawa for input on the report” Carried

Items To Be Introduced By Councillors

DS-19-13 Policy Concerning Developer Identification at Public Consultation
Meetings

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

Whereas particulars about the December 5, 2018 Public Information Consultation in Stage One of the Integrated Columbus Part II Planning Study status are contained in Report DS-19-04 which is on the January 14, 2019 Oshawa Development Services Committee meeting Agenda, and;

Whereas the December 5, 2018 Public Consultation Meeting 1 was an opportunity to receive residents’ input to develop guiding principles and identify problems and opportunities, and was to include the opportunity to document concerns and opinions on matters to be considered as the Study moves forward, and;

Whereas during the Public Consultation Meeting 1 (the proponents of the Columbus Developers Group were not identified to the Columbus residents and took part in the table discussions and at least one of the developer’s representatives got himself appointed as a spokesperson for the residents and expressed his views on the desired residential density of the proposed development of the Columbus lands without every advising the residents present of his affiliation with the developers group;

Therefore, a policy be enacted requiring City staff to ensure going forward that all future Public Consultation Meetings (PICs) are conducted in a more transparent manner, and that all representatives of any group other than the residents being consulted and participating in such meetings are identified via name tags and not allowed to participate in the residents' deliberations or to speak on the residents' behalf." Carried

Closed Consent Agenda

Moved by Councillor Chapman,
"That all items listed under the heading of Closed Consent Agenda for the Development Services Committee meeting of January 14, 2018 be adopted as recommended except Report DS-19-02." Carried

Closed Correspondence

DS-19-09 Frank H. M. Stolwyk, Barrister and Solicitor – Encroachment Agreement on Ansley Court, Oshawa

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

Recommendation (Carried – See Page 18)

That Correspondence DS-19-09 dated January 4, 2019 from the Frank H.M. Stolwyk, Barrister and Solicitor requesting an Encroachment Agreement on Ansley Court be referred to staff for a report.

Closed Reports

DS-19-02 Proposed Lease Agreement between the City of Oshawa and 2342880 Ontario Limited for Driveway Access over a Portion of City-owned Land on McMillan Drive

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

Recommendation (Carried – See Page 20)

That pursuant to Report DS-19-02 dated January 9, 2019, the Commissioner, Development Services Department be authorized to approve and execute a Lease Agreement with 2342880 Ontario Limited (operating as Oshawa Car Wash) located at 116 Bond Street West, to facilitate driveway access from McMillian Drive to the site over a portion of the City-owned lands abutting to the north, consistent with the terms and conditions contained in said Report and in a form and content satisfactory to the Commissioner, Development Services Department and the City Solicitor.

Discussion Agenda

Matters Excluded From Closed Consent Agenda

Moved by Councillor McConkey,
"That the delegation by Kirk Lowe be heard in closed session." 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 consider Report DS-19-02, regarding a proposed or pending acquisition or disposition of land by the municipality or local board and to discuss Correspondence DS-19-10 and the related delegation concerning commercial or financial information, supplied in confidence to the municipality or local board, which, if disclosed could reasonable be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.” Carried

The Committee recessed at 4:47 p.m. and reconvened at 4:58 p.m. in closed session with the following in attendance: Councillors Chapman (entered the meeting at 5:03 p.m.) Hurst, Kerr, Marimpietri, McConkey (entered the meeting at 5:03 p.m.) and Mayor Carter (entered the meeting at 5:15 p.m.) in attendance. Also in attendance were Councillor Neal, L. Davis, Council-Committee Coordinator; H. Leznoff, Council-Committee Coordinator, the Commissioner, Development Services Department; the Director, Planning Services; and Kirk Lowe.

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

Closed meeting discussions took place.

The Committee rose from closed session at 5:32 p.m.

Closed Meeting Report

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

Moved by Councillor Hurst,

“That the order of the agenda be altered to defer Report DS-19-02 to the end of the closed session.” Carried on a 2/3 vote of members present

Kirk Lowe addressed the Committee concerning a proposal for a youth athletic training centre.

Councillors Chapman and McConkey entered the meeting during the delegation.

The Committee questioned Kirk Lowe.

Mayor Carter entered the meeting.

Kirk Lowe left the meeting.

The Committee discussed Correspondence DS-19-10 from Kirk Lowe.

The Committee questioned the Commissioner, Development Services Department and the Director, Planning Services concerning Report DS-19-02 regarding a proposed new lease agreement between the City of Oshawa and 2342880 Ontario Limited for Driveway Access over a portion of City-owned Land on McMillan Drive.

This concludes the closed meeting report.

Moved by Councillor Chapman,

“That the Development Services Committee adopt the recommendation contained in Report DS-19-02 concerning proposed lease agreement between the City of Oshawa and 2342880 Ontario Limited for Driveway Access over a portion of City-owned land on McMillan Drive.” Carried

Closed Correspondence Requiring Action

DS-19-10 Kirk Lowe – Proposal for a Youth Athletic Training Centre and Request to Speak to the Proposal

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

Moved by Councillor Kerr,

“That DS-19-10 from Kirk Lowe concerning a proposal for a youth athletic training centre be referred to Development Services staff for a report and that Community Services staff be included for their input, to be brought back to a Joint Development Services and Community Services Committee meeting for consideration.” Carried

Adjournment

Moved by Councillor Chapman

“That the meeting adjourn.” Carried

The meeting adjourned at 5:34 p.m.