

Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber on May 21, 2019 at 3:30 p.m.

Mayor Carter and Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal (entered the meeting at 6:38 p.m.) and Nicholson were present.

Mayor Carter presided.

### **Closed Meeting**

#### **Additional Closed Items**

None

#### **Declarations of Pecuniary Interest**

Councillor Marimpietri made a declaration of interest concerning Report CNCL-19-42 concerning a Notice of Application as he was a party to the process in the decision making during the previous term and did not take part in discussion or voting on the matter.

(See Page 235)

### **Closed Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson, (393) "That all items listed under the heading of Closed Consent Agenda for the City Council meeting dated May 21, 2019 be adopted as recommended except Report CNCL-19-42." 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 Twelfth Report.

DS-19-80                      Request for an Agreement to Permit an Encroachment on City Owned Open Space

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

Recommendation                      (Carried – See Page 227)

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.

### Report of the Finance Committee

The Finance Committee respectfully reports and recommends to City Council its Eleventh Report.

FIN-19-38                      Oshawa Generals Correspondence Request (FIN-19-28)

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

Recommendation                      (Carried – See Page 227)

That based on Report FIN-19-38 dated May 8, 2019 concerning requests from the Oshawa Generals, the following recommendations as set out in Section 5 of the report be adopted, included in the Council agenda and released publically upon adoption:

1. That the request for additional space for a Player's Lounge be approved; and,
2. That the request for additional space for an extension to the weight room be approved; and,
3. That the request for five additional parking spaces be denied; and,
4. That the agreement with the Oshawa Sports Hall of Fame be honoured and the request from the Oshawa Generals for use of the space for a Seasons Ticket Holder Lounge be denied; and,
5. That the request to relinquish the City's share of the advertising and marketing revenue be denied.

## **Closed Staff Reports/Motions**

CNCL-19-42      Notice of Application

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

Recommendation      (Referred – See Page 231)

That Council authorize City staff to proceed as recommended in Section 5.6 of Report CNCL-19-42 dated May 15, 2019.

## **Discussion Agenda**

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

Moved by Councillor Chapman, seconded by Councillor Giberson,  
“That Council adopt the recommendation contained in Report CNCL-19-42 concerning a notice of application.” Referred by later vote

Moved by Councillor Marks, seconded by Councillor Giberson,  
(394) “That pursuant to Sections 239 (2)(e) and (f) of the Municipal Act, this meeting be closed to the public in order to consider Report CNCL-19-42 which is related to litigation or pending litigation.” Carried by later vote

Moved by Councillor Nicholson, seconded by Councillor McConkey,  
“That the motion be tabled until Council receives all documents regarding the purchase of 199 Wentworth Street.” Lost on the following vote

Affirmative – Councillors Chapman, Gray, McConkey and Nicholson

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

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal

The vote to enter closed session Carried on the following vote:

Affirmative – Councillors Chapman, Giberson, Hurst, Marks and Mayor Carter

Negative – Councillors Gray, Kerr, McConkey and Nicholson

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal

All Council members were present for the closed meeting except Councillors Marimpietri, McConkey (entered the meeting at 3:55 p.m.) and Neal. Also present were the Interim City Clerk; the City Manager; the City Solicitor; the Commissioner, Development Services Department; the Commissioner, Corporate Services

Department; the Commissioner, Finance Services; and L. Davis, the Council-Committee Coordinator.

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

Council went into closed session at 3:52 p.m.

Closed meeting discussions were held.

Councillor McConkey entered the meeting.

Closed meeting discussions continued.

Councillor Marks temporarily left and re-entered the meeting.

Closed meeting discussions continued.

Moved by Councillor Hurst, seconded by Councillor Giberson, (395) "That Council rise from the closed meeting and report." Carried

Council rose from closed session at 5:16 p.m.

### **Closed Meeting Report**

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

City Council discussed Report CNCL-19-42 concerning a notice of application.

Councillor McConkey entered the meeting.

City Council continued to discuss Report CNCL-19-42 concerning a notice of application.

Moved by Councillor Nicholson, seconded by Councillor McConkey, "That Council move into Committee of the Whole." Lost on the following vote

Affirmative – Councillors Gray, Marks, McConkey and Nicholson

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

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal

City Council continued to discuss Report CNCL-19-42.

Members of Council questioned the City Solicitor.

The City Solicitor responded to questions concerning Report CNCL-19-42.

Councillor Marks temporarily left and re-entered the meeting.

City Council continued to discuss Report CNCL-19-42.

Members of Council questioned the City Solicitor.

The City Solicitor responded to questions concerning Report CNCL-19-42.

City Council continued to discuss Report CNCL-19-42.

This concludes the closed report summary.

Moved by Councillor Gray, seconded by Councillor Giberson, (396) "That the matter be referred back to staff to amend the recommendation to reflect the discussions held in camera." Carried on the following vote

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

Negative – Councillors Kerr, Marks and McConkey

Declaration of Interest – Councillor Marimpietri

Absent – Councillor Neal

## **Items Requiring Action**

None

## **Presentations**

None

Moved by Councillor Chapman, seconded by Councillor Giberson, (397) "That the meeting recess." Carried

The meeting recessed at 5:30 p.m. and reconvened at 6:30 p.m. All Council members were present following the recess except Councillor Neal (entered the meeting at 6:38 p.m.).

## **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

Various announcements were made relating to activities and events.

Councillor Neal entered the meeting during the announcements.

## Additional Agenda Items

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(398) "That the Thirteenth Report of the Finance Committee be added to the Public Consent Agenda for the Council meeting of May 21, 2019." Carried on a 2/3 vote of members present

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(399) "That additional delegation requests from Christeen Thornton, Raymond Bond, George Lysyk, Adam White, Phil Jowett, Dr. Amir Mostaghim, Rev. Roy Graves and Alexis Kofman; as well as Correspondence CNCL-19-46 to 50 from various residents concerning a consumption treatment site in Oshawa, Correspondence CNCL-19-51 from Mike and Gloria Logan regarding the request for exemption from the Noise by-law and CNCL-19-52 from Bob Ross in support of the designation of 344 Thornton Road North be added to the agenda for the Council meeting of May 21, 2019." Carried

Moved by Councillor Marimpietri, seconded by Councillor Marks,  
(400) "That the rules of procedure be waived in order to introduce a time-sensitive motion related to autism funding." Carried on a 2/3 vote of members present

Moved by Councillor Marimpietri, seconded by Councillor Marks,  
(401) "Whereas Autism Spectrum Disorder (A.S.D.) is one of the most common developmental disabilities, in Canada, 1 in 66 children is diagnosed with A.S.D.; and,

Whereas according to the National A.S.D. Surveillance System (N.A.S.S.); according to the Canadian Medical Association Journal, approximately 1% of the Canadian population is affected by ASD, which means there are approximately 100,000 Ontarians on the autism spectrum; and,

Whereas A.S.D. changes over time – in its expression, challenges and delights; Ontario must be prepared to support children, youth and adults within the context of development, learning, family and community. Supportive, understanding and inclusive communities ensure that each person with A.S.D. is provided the means to achieve quality of life as a respected member of society Ontario must support the individual needs of a person with A.S.D. throughout their lifespan using evidence-based treatment and intervention, while remembering that developmental trajectories are constantly changing; and,

Whereas the supports and services for adults on the spectrum are inadequate and fragmented, and fail to address needs across entire lifespans; and,

Whereas school boards are expecting an influx of thousands of students with autism as families lose funding; leaving educators unequipped with the resources required to

provide specialized care and a higher level of assistance for children with special needs; and,

Whereas funding will not address the critical need for assistance for families not only in their younger years, but after the age of 18; and,

Whereas the changes which could come in to affect, will mean the thousands of families currently receiving services could see drastic cutbacks;

Therefore, be it resolved:

1. That the Council of The Corporation of the City of Oshawa stand in support of other municipalities and the thousands of families represented in the cause, by formally requesting the Minister of Children, Community and Social Services suspend implementation of its proposed plan and continue to identify and advocate for a sustainable funding plan for families with individuals with A.S.D. to ensure adequate resources for Applied Behavioural Analysis and needed therapies; and,
2. That the Minister of Children, Community and Social Services work collaboratively with families, community partners and stakeholders to develop a funding plan which will guarantee every person with A.S.D. has access to funding, specialized programming and service providers and further; That children currently enrolled in Autism programming continue to receive services; and
3. That the Clinical Expert Committee be reassembled to provide advice and feedback; and,
4. That a copy of this resolution be forwarded to Premier Ford, Minister Fedeli, local Members of Provincial Parliament and Federal Parliament, Region of Durham Council, each Municipal Council within the Region of Durham, the Chairs of the respective school boards in Durham Region, and the Association of Municipalities of Ontario.” Carried on the following vote

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

Negative – None

Absent – None

Moved by Councillor Marimpietri, seconded by Councillor Hurst,  
(402) “That the rules of procedure be waived in order to introduce a time-sensitive motion related to the Oshawa Executive Airport updated Business Plan.” Carried on a 2/3 vote of members present

Moved by Councillor Marimpietri, seconded by Councillor Hurst,  
(403) “Whereas the current timeframe for the Oshawa Executive Airport Business Plan 2015 – 2019 is about to end and a new Business Plan needs to be prepared to guide and inform future Council decisions; and,

Whereas the City recognizes the importance of the airport from an economic development perspective; and,

Whereas it is also important to review opportunities to reduce the environmental impact of the airport operations and to improve safety and compatibility matters between the airport and the residential community as part of the update to the Business Plan in order to provide an appropriate balance between the quality of life of the residents and airport operations; and,

Whereas the existing 2015–2019 Business Plan was based on a number of assumptions such as increased growth as a result of the closure of the Buttonville Airport, which now appears it will not be closed anytime soon; and,

Whereas the new Business Plan must be based on certain updated considerations and appropriately address community concerns;

Be it therefore resolved:

1. That the updated Business Plan be based in part on the following items:
  - i. That City Council reaffirm the June 28, 2012 and December 11, 2017 decisions of Council that it does NOT support any runway extension at the Oshawa Executive Airport.
  - ii. That the timeframe commitment to keep the airport open up to the current operational agreement timeframe date NOT be extended.
  - iii. That the updated Business Plan exercise NOT explore any opportunity to create new serviced land such as along the east and west sides of the airport for new aviation related uses.
2. That the updated Business Plan consider the following to improve health, safety and compatibility matters with the community and the environment:
  - i. That the phasing out or elimination of the use of leaded fuel be investigated and explored.
  - ii. That the use of new technology related to items such as exhaust systems to ensure quieter planes are used at the airport be explored.
  - iii. That the Noise and Traffic Management Plan be reviewed to ensure that the airport hours of operation/the voluntary curfew and related enforcement of the curfew continue to be supported and further advanced.
  - iv. That staff continue to advance opportunities to improve communications with the public on airport matters.
3. That the consultant's proposals for the updated Air Quality Assessment Study and Noise Study be presented to Council for review.
4. That the staff prepare a public consultation plan for Council's approval to obtain public input during the process to update the Business Plan.

5. That NAV Canada be requested to provide a letter outlining its role and jurisdiction to control the volume of aircraft using the airport and the direction and use of any runway that any aircraft may land or take off from.
6. That the Airport Manager host a bus tour of the Airport for the community.”  
Carried by later vote

Moved by Councillor Gray, seconded by Councillor Kerr,  
“That the motion be referred to the Airport Business Plan Working Team.” Lost on the following vote

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

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

Absent – None

The vote on the motion Carried on the following

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

Negative – Councillors Gray, Kerr and Nicholson

Absent - None

## **Declarations of Pecuniary Interest**

Councillor Marimpietri made a declaration of interest concerning Item DS-19-72 regarding City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94 for part of the Northwood Business Park as he has family who owns property and lives in the area and did not take part in discussion or voting on the matter.

Councillor Kerr made a declaration of interest concerning Correspondence CNCL-19-44 from J. J. McGuire requesting an exemption to the Noise By-law as he resides in that neighbourhood and did not take part in discussion or voting on the matter.

## **Presentations**

Mayor Carter recognized the Oshawa Ringette U12P, U16A and U19A teams for their respective successes in the Ontario Ringette Provincial Championships.

Mayor Carter presented the proclamation to Public Works staff proclaiming May 19 to May 25, 2019 as ‘National Public Works Week’.

Mayor Carter presented the proclamation to Building Services staff proclaiming May 2019 as ‘Building Safety Month’.

Recreation and Culture Services staff to present Council with the Festivals and Events Ontario ‘Top 100 Festivals & Events in Ontario Award’ for the seventh consecutive year for the City’s Peony Festival.

## Delegations

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(404) That the delegation of Adam White be heard.” Carried on a 2/3 vote of members present

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(405) “That the delegations from Wayne Samms, Jeff Davis, Dave Thompson, Fitz Matheson, Kathy Cumming, Emilio Zingone, Christeen Thornton, Raymond Bond, George Lysyk, Phil Jowett, Dr. Amir Mostaghim, Rev. Roy Graves and Alexis Kofman be heard.” Carried

Moved by Councillor Nicholson, seconded by Councillor Giberson,  
(406) “That Correspondence CNCL-19-43 from Jeff Davis concerning a Consumption Treatment Site and related delegations and correspondence be referred to the Region of Durham.” Lost on the following vote

Affirmative – Councillors Giberson, Hurst, Kerr, Marks and Nicholson

Negative – Councillors Chapman, Gray, Marimpietri, McConkey, Neal and Mayor Carter

Absent – None

The vote to hear the delegations Carried.

Wayne Samms addressed City Council to request that complaints submitted to the City concerning by-law contraventions be permitted to be submitted anonymously.

Jeff Davis addressed City Council to request that Council adopt a motion to not permit a Consumption and Treatment Services Site at any location in Oshawa.

Moved by Councillor Neal, seconded by Councillor McConkey,  
(407) “That the delegation’s time be extended by two minutes.” Carried

Jeff Davis continued to address City Council to request that Council adopt a motion to not permit a Consumption and Treatment Services Site at any location in Oshawa.

Members of Council questioned Jeff Davis.

Dave Thompson addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Fitz Matheson addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Kathy Cumming addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Emilio Zingone addressed City Council concerning Item 1 of DS-19-76 being the Sixth Report of Heritage Oshawa regarding 344 Thornton Road North.

Members of Council questioned Emilio Zingone.

Christeen Thornton addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Raymond Bond addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Rev. Roy Graves addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Moved by Councillor McConkey, seconded by Councillor Giberson,  
(408) "That the delegation's time be extended." Carried

Rev. Roy Graves continued to address City Council concerning a Consumption and Treatment Services site in Oshawa

Alexis Kofman addressed City Council concerning a Consumption and Treatment Services site in Oshawa.

Dr. Amir Mostaghim was not in attendance to address City Council on behalf of the Ontario Tech University concerning a Consumption and Treatment Services site in Oshawa.

George Lysyk addressed City Council concerning Item 1 of DS-19-76 being the Sixth Report of Heritage Oshawa regarding 344 Thornton Road North.

Members of Council questioned George Lysyk.

Adam White addressed City Council regarding Item CS-19-51 concerning a request from P.F.L.A.G. Canada Durham Region asking for Rainbow Crosswalk to be painted in Oshawa.

Phil Jowett addressed City Council in opposition to the recommendation related to Correspondence CNCL-19-44 from J. J. McGuire requesting an exemption from the City's Noise By-law.

Members of Council questioned Phil Jowett.

Moved by Councillor Kerr, seconded by Councillor Neal  
(409) "That the meeting recess." Carried

The meeting recessed at 9:19 p.m. and reconvened at 9:35 p.m. with all members of Council in attendance.

## Matters Requiring Direction

### Correspondence Requiring Action

- CNCL-19-43      Jeff Davis requesting Council Adopt a Motion to Not Permit a Consumption and Treatment Services Site at Any Location in Oshawa
- CNCL-19-46      Christeen Thornton in support of a Consumption and Treatment Services Site in Oshawa
- CNCL-19-47      Scott LaPlante in support of a Supervised Injection Site in Oshawa
- CNCL-19-48      Emily Ternoey in support of a Safe Injection Site in Oshawa
- CNCL-19-49      Jennifer Hall in support of a Safe Injection Site in Oshawa
- CNCL-19-50      Dani Crosby in support of a Safe Injection Site in Oshawa

Moved by Councillor Chapman, seconded by Councillor Giberson, (410) "That Correspondence CNCL-19-43 from Jeff Davis and Correspondence CNCL-19-46 to CNCL-19-50 from various residents concerning a Consumption and Treatment Services Site in Oshawa be received for information." Carried on the following vote

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

Negative – Councillors McConkey and Neal

Absent – None

- CNCL-19-51      Mike and Gloria Logan in opposition to the recommendation related to Correspondence CNCL-19-44 from J. J. McGuire requesting an exemption from the City's Noise By-law

Moved by Councillor Chapman, seconded by Councillor Giberson (411) "That Correspondence CNCL-19-51 from Mike and Gloria Logan in opposition to the recommendation related to Correspondence CNCL-19-44 from J. J. McGuire requesting an exemption from the City's Noise By-law be referred to CNCL-19-44." Carried (Councillor Kerr did not participate in discussion or voting on this item.)

- CNCL-19-52      Bob Ross in Support of the Designation Under the Ontario Heritage Act of 344 Thornton Road North

Moved by Councillor McConkey, seconded by Councillor Hurst, (412) "That Correspondence CNCL-19-52 from Bob Ross in support of designation under the Ontario Heritage Act of 344 Thornton Road North be referred to Part 1 of Item DS-19-76." Carried

## Items Pulled from Information Package

None.

### Public Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Giberson, (413) "That all items listed under the heading of Public Consent Agenda for the May 21, 2019 Council meeting be adopted as recommended except:

Correspondence CNCL-19-44;

Item CS-19-69/CS-19-70/CS-19-51 from the Ninth Report of the Community Services Committee;

Item CORP-19-46 from the Seventh Report of the Corporate Services Committee;

Items DS-19-76 and DS-19-72 from the Thirteenth Report of the Development Services Committee; and,

Report CNCL-19-45." Carried

CNCL-19-44      J. J. McGuire Noise By-law Exemption Request – Bartlett Retirement Residence at 550 Bond Street West

Recommendation                      (Lost – See Page 259)

Whereas J. J. McGuire has scheduled construction activities involving the construction of a new five (5) storey, one-hundred and twenty-nine (129) unit independent retirement living building at 550 Bond Street West; and,

Whereas construction activities are scheduled for the period of May 8, 2019 until September 30, 2019; and,

Whereas in an effort to meet construction timelines J. J. McGuire has identified a need to start construction work at 6:00 a.m. on Monday through to Friday during the noted construction period to hoist and unload materials with a crane beginning and to undertake the finishing of concrete slabs that may continue until 11:00 p.m. on Wednesday and Friday nights; and,

Whereas it is anticipated that the construction work may generate noise disturbances contrary to the City of Oshawa Noise By-law 112-82 in that the By-law only permits construction noise between the hours of 7:00 a.m. and 7:00 p.m. Monday to Saturday and 9:00 a.m. to 5:00 p.m. on Sundays;

Therefore be it resolved that J. J. McGuire and its employees, subcontractors and agents are exempt from the City of Oshawa Noise By-law 112-82, Monday, Tuesday and Thursday from 6:00 a.m. to 7:00 p.m. and Wednesday and Friday from 6:00 a.m. to 11:00 p.m. between May 8, 2019 and September 30, 2019, as it

relates to the construction of the Bartlett Retirement Residence at 550 Bond Street West, subject to the following conditions:

- That J. J. McGuire provide advertising/notification of this project in the local media advising Oshawa residents and businesses of the project timeframe and that the project may create noise; and that notice will also be posted on the City's website and social media accounts; and,
- That J. J. McGuire deliver construction advisory notices to residential properties within 500m of the construction site that advise residents of the project timeframe and that the project may create noise; and,
- That J. J. McGuire provide the City of Oshawa with a contact number of the on-site supervisor for residents to call if they have any concerns or questions, and that the number also be in the advertisements/notices.

## Adoption of Council Minutes

That the minutes of the City Council meeting held on April 29, 2019 be adopted.  
(Carried – See Page 239)

## Standing Committee Reports

### Report of the Community Services Committee

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

CS-19-69	Reverend Jeff Doucette, Enniskillen and Tyrone United Church Submitting Comments in Support of the Rainbow Crosswalk Initiative
CS-19-70	Gail Brimbecom Submitting Comments in Support of the Rainbow Crosswalk Initiative
CS-19-51	P.F.L.A.G. Canada Durham Region – Requesting the City Paint a <u>Rainbow Crosswalk</u>

Recommendation (Carried – See Page 259)

That Correspondence CS-19-69 from Reverend Jeff Doucette, Enniskillen and Tyrone United Church, CS-19-70 from Gail Brimbecom and CS-19-51 from P.F.L.A.G. Canada Durham Region requesting the City paint a rainbow crosswalk be referred to staff to provide recommendations and information on workable options for a rainbow crosswalk in Oshawa with inclusion of comments from the Diversity and Inclusion Officer.

CS-19-71 Kevin Fenlon – Requesting the 2-way Stop be Replaced with a 4-way Stop at Parkridge Drive and Arborwood Drive

Recommendation (Carried – See Page 239)

That the 2-way stop be replaced with a 4-way stop at Parkridge Drive and Arborwood Drive.

CS-19-52 Reducing Litter and Waste Discussion Paper

Recommendation (Carried – See Page 239)

That the City of Oshawa include, as a special addition and extension to the downtown street furniture program, the installation of two waste receptacles on both sides of Simcoe Street South at the gateway to the downtown, between John Street and Gibb Street; and,

That notwithstanding the Business Improvement Area (B.I.A.) boundaries staff install additional waste receptacles on Simcoe Street between John Street and Gibb Street; and,

That this does not expand B.I.A. boundaries.

CS-19-67 Speed Limit on Ormond Drive between Woodmount Ave and Coldstream Drive

Recommendation (Carried – See Page 239)

That the speed limit on Ormond Drive between Woodmount Avenue and Coldstream Drive in Oshawa's Ward 1 be reduced to 40 km/h; and,

That the Durham Regional Police Service enforce the 40 km/h between Woodmount Avenue and Coldstream Drive.

CS-19-68 Traffic and Safety Concerns on Brentwood Avenue

Recommendation (Carried – See Page 239)

That staff report back with potential solutions regarding ongoing traffic and safety concerns from the residents of Brentwood Avenue.

CS-19-65 Corporate Fleet Acquisition Life Cycle Policy: Passenger Vehicles

Recommendation (Carried – See Page 239)

That Report CS-19-65 concerning the Passenger Vehicle Lifecycle Analysis update dated May 10, 2019 be received for information.

- CS-19-66            Traffic and Safety Concerns on Aberdeen Street  
Recommendation            (Carried – See Page 239)  
That staff report back with potential solutions regarding ongoing traffic and safety concerns from the residents of Aberdeen Street.
- CS-19-72            Dead Trees in Conlin Woods Park  
Recommendation            (Carried – See Page 239)  
That staff investigate and address the issue of dead trees in Conlin Woods Park.
- CS-19-73            Speeding Concerns on Riverside Drive, South of King Street  
Recommendation            (Carried – See Page 239)  
That staff investigate speeding concerns on Riverside Drive, south of King Street and report back on all possible solutions.

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

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

- CORP-19-50            Changes to the City's Online Calendar of Council and Committee Meetings concerning Public meetings  
Recommendation            (Carried – See Page 239)  
Whereas the 6:30 p.m., April 15, 2019 Public Meeting is not listed with a separate link on the City's website calendar for April 15, 2019; and,  
Whereas on April 11, 2019, the City announced it had initiated a new consolidated subscription website and that is now mentioned in the corporate communication media release 'easier to subscribe to receive email updates on City news categories and notifications of meetings and events' and that there is 'no need to go searching to stay in the loop; let the City of Oshawa information come to you';  
Therefore be it resolved that the City's calendar of Council and Committee meetings include a separate link for all Public Meetings.

**CORP-19-52**      Photos and Videos in the Council Chamber

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Recommendation                      (Carried – See Page 239)

That the City give notice to attendees in the Oshawa Council Chamber, Committee Meeting Room and on the City's website that:

- i.      All who enter City Hall are recorded on the City's security cameras;
- ii.     All who attend meetings in the Council Chamber and Committee Meeting room do so voluntarily and their picture may be taken by their presence; and,
- iii.    This is a good practice implemented in many public venues.

**CORP-19-51**      Region of Durham Seeking Approval of the New Regional Smoke-Free By-law

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Recommendation                      (Carried – See Page 239)

1.      That in accordance with Correspondence CORP-19-51 dated April 26, 2019 from Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, Council consent to the passing of the new Regional Smoke-Free By law regulating smoking and vaping in public places and the workplace with the following amendment:
  - That the By-law be amended to clarify that signage requirements are required for public places and public parks; and,
2.      That following the passage of the Regional Smoke-Free By-law with the above amendment, City of Oshawa 'No Smoking' By-law 92-2010 be repealed; and,
3.      That the Province be requested to amend its legislation and regulations to allow municipalities to regulate the public roadway as part of the by-law.

**CORP-19-38**      Enforcement and Inspection Processes Audit

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Recommendation                      (Carried – See Page 239)

1.      That the recommendations and management responses in the KPMG audit be endorsed as the general basis for implementing improvements to enforcement and inspection processes; and,

2. That the following recommendation be received for information: 'That staff engage in a fulsome evaluation of the recommendations on page 8 of said Report to combine inspection and enforcement activity and the feasibility of moving fire inspection over to Building Permit and Inspection Services.'

CORP-19-46 Permission to Light Firecrackers to Celebrate Diwali Function

Recommendation (Part 1 Carried, Part 2 Lost – See Page 260)

1. That based on Report CORP-19-46 concerning permission to light firecrackers to celebrate Diwali Function, Municipal Law Enforcement not enforce the Fireworks By-law as it pertains to Diwali celebrations; and,
2. That appropriate amendments be brought forward through the committee process to include Diwali as an approved celebration.

CORP-19-49 Exceptional Student Award 2019

Recommendation (Carried – See Page 239)

1. That in accordance with Report CORP-19-49, the 2019 Exceptional Student Achievement Award in the amount of \$1,000 be awarded to the student from Monsignor Paul Dwyer Catholic High School; and,
2. The award be presented at the June 24, 2019 Council meeting.

CORP-19-54 Council Education Session Concerning Service Oshawa

Recommendation (Carried – See Page 239)

That an Education Session be set up for Council to discuss expectations for Service Oshawa.

CORP-19-53 Trail Clean up and Enforcement

Recommendation (Carried – See Page 239)

That staff report on the trail clean up and enforcement including actions taken to date, costs and potential fire hazards.

**Report of the Development Services Committee**

The Development Services Committee respectfully reports and recommends to City Council its Thirteenth Report.

DS-19-76

Sixth Report of Heritage Oshawa

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Recommendation (Carried – See Page 260)

1. Correspondence submitted by Ihor George Lysyk 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 (DS-19-84)

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

That Item 1 of the Sixth report of Heritage Oshawa concerning 344 Thornton Road North be received for information:

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.

2. Correspondence from Jacqueline Villeneuve – Designation of 425 Simcoe Street North (DS-19-81)

Designation of 425 Simcoe Street North (HTG-19-45)

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 be designated as a property of cultural heritage significance under the Ontario Heritage Act.

DS-19-70

Proposed Designation Pursuant to Ontario Heritage Act:  
46 Riverside Drive North

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Recommendation (Carried – See Page 239)

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 239)

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 260)

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;  
and,

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; and,
3. That in accordance with Report DS-19-72, the Northwood Industrial Park Concept Plan dated April 16, 1992, as amended, be rescinded.

DS-19-77

City Comments on the Region of Durham's Agriculture & Rural System Discussion Paper for Envision Durham

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Recommendation (Carried – See Page 239)

1. That Report DS-19-77 dated May 1, 2019, be endorsed as the City's comments on the Agriculture & Rural System Discussion Paper prepared by the Region of Durham as part of Envision Durham, the Municipal Comprehensive Review of the Durham Regional Official Plan; and,
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.

DS-19-83

Heritage Designation of 500 Howard Street, former Ontario Malleable Iron Building (HTG-19-22 – Item 9)

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Recommendation (Carried – See Page 239)

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.

DS-19-85

Flood and Erosion Control and Natural Hazard Prevention

Recommendation (Carried – See Page 239)

Whereas Conservation Authorities in Ontario deliver programs to protect people and property from flooding and erosion by real-time floor forecasting, issuing floor 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%;

1. Therefore be 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:
  - Reinststate the full funding for the 2019-2020 fiscal year; and,
  - 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,
2. That this motion be 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.

DS-19-86

Reuse and Recycling of Sand from Street Cleaning

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Recommendation (Carried – See Page 239)

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

That this item be referred to the Community Services Committee.

DS-19-88

Parking and Congestion on Ormond Drive

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Recommendation

That Council support regional staff to further 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 Drive to accommodate staff parking and alleviate the parking and congestion on Ormond Drive.

**Report of the Finance Committee**

The Finance Committee respectfully reports and recommends to City Council its Twelfth Report.

**FIN-19-37                      Request for Proposal C2019-33 Information and Records Management Strategic Plan**

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Recommendation                      (Carried – See Page 239)

That in accordance with Report FIN-19-37 dated May 8, 2019 the Manager, Purchasing Services be authorized to negotiate a contract with The Ergo Group Inc. o/a Ergo Information Management Consulting to an upset limit of \$125,339 excluding all taxes for the provision of the development of an Information and Records Management Strategic Plan, being the highest ranked proposal received.

**FIN-19-35                      Oshawa Strategic Asset Management Policy**

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Recommendation                      (Carried – See Page 239)

That the Oshawa Strategic Asset Management Policy dated May 8, 2019, as set out in Attachment 1 to Report FIN-19-35, be endorsed.

**FIN-19-36                      2020 Budget Timetable**

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Recommendation                      (Carried – See Page 239)

That the Presentation of the 2020 Budget be on November 8, 2019, and deliberations and consultation occur on November 22, November 29 and December 6, 2019 with the final deliberation and approval on December 13, 2019; and,

That External Agency and Partnership Grants be presented to the Finance Committee on October 28, 2019; and,

That information presented to Council be placed on the City website on the same day that Council receives it.

**FIN-19-39                      Street Lighting at Thornton Road and Champlain Avenue**

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Recommendation                      (Carried – See Page 239)

Whereas project 76-0027 Thornton Road Street Lighting, Champlain Avenue to King Street and 76-0051 Champlain Avenue – Street lighting upgrades, Whitby/Oshawa boundary to Thornton Road South are included in the 9-year capital budget forecast in 2023 and 2025 respectively; and,

Whereas the Region has provided their work plan for 2019 which includes street lighting upgrades on Thornton Road South from Champlain Avenue to Consumers Drive extension, and Champlain Avenue from Whitby/Oshawa boundary to Thornton Road South; and,

Whereas the Region has provided an estimate of \$40,000 for new street lighting on Thornton Road South from Champlain Avenue to Consumers Drive extension, and \$40,000 for the street lighting upgrades on Champlain Avenue from Whitby/Oshawa boundary to Thornton Road South; and,

Whereas for project 76-0027 Thornton Road Street Lighting, only the portion of work between Champlain Avenue and Consumers Drive extension is being advanced to 2019, and the remaining work between Consumers Drive extension and King Street East will be budgeted in the forecast between 2024 to 2028; and,

Whereas Finance Services has confirmed that funds are available in the Transportation Roads DC and Growth Related (Non-DC) reserves to fund these projects in 2019;

Therefore, be it resolved that approximately \$80,000 (including HST) be funded from the Transportation Roads DC and Growth Related (Non-DC) reserves to advance the implementation of new street lighting at Thornton Road from Champlain Avenue to the Consumers Drive extension and street lighting upgrades at Champlain Avenue from Whitby/Oshawa boundary to Thornton Road South to be completed by the Region in 2019.

The Finance Committee respectfully reports and recommends to City Council its Thirteenth Report.

FIN-19-42                      Oshawa Folk Arts Council Fiesta Week and Concert Ceremony

Recommendation                      (Carried – See Page 239)

That the additional cost for the hydro hookup in the amount of \$246.15 be covered by the surplus funding already provided to the Folk Arts Council for the provisions of security services; and,

That the fees for temporary food licenses be waived.

**Staff Reports/Motions****CNCL-19-45      Lakeshore East GO Rail Extension Through Central Oshawa to Bowmanville along the CP Rail Line**

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Recommendation                      (Amended – See Page 261)

Whereas in 2011 Metrolinx completed a comprehensive and objective Environmental Assessment (E.A.) for the recommended extension of GO Train Service through Oshawa to Bowmanville; and,

Whereas the E.A. considered a number of route options and through public input concluded that the extension along the CP Rail line through Central Oshawa to Courtice and Bowmanville (with four new stations) was the preferred route for both Metrolinx and the local communities; and,

Whereas since 2011 based on the commitment of Metrolinx and the Province to advance the recommended 2011 E.A. route along the CP Rail line the City, the Region of Durham and the Municipality of Clarington have undertaken a number of actions including, but not limited to, such matters as:

- Included the recommended route and complementary land use policies in the Official Plans and zoning by-laws;
- Advanced development charges, capital expenditures and capital budgets to accommodate the extension; and
- Advanced transit considerations to service the route and proposed stations; and,

Whereas Metrolinx completed a business case in 2015 confirming the CP Rail route as recommended by the EA utilizing its internal business case criteria; and,

Whereas residents, the building and development industry and businesses have made investments in certain areas near the proposed station sites in anticipation that the extension would be implemented along the CP Rail line route; and,

Whereas on November 5, 2018 Metrolinx staff advised that it is preparing a Full Business case for GO expansion and updating the Initial Business Case for the GO Rail service extension to Bowmanville; and,

Whereas by letter dated November 29, 2018 the President and Chief Executive Office of Metrolinx advised that the Province has asked Metrolinx to assess the status of transit projects and determine the feasibility of applying a market driven approach to

delivering transit infrastructure, starting with new GO Stations, including those proposed with the Lakeshore East corridor extension to Bowmanville; and,

Whereas this meant that the current delivery process for new GO Stations will be changed while Metrolinx works with the City and development partners to determine where there are opportunities for third party investment to deliver them. This review will include assessment of stations that are not yet in delivery; and,

Whereas on December 18, 2018 City Council passed a resolution requesting the newly elected Provincial government and Metrolinx to confirm their commitment to extend GO Rail service through Central Oshawa to Bowmanville along the CP Rail line and to proactively resolve all pending negotiations with CP and CN Rail; and,

Whereas at a May 2, 2019 Town Hall meeting the Metrolinx senior staff advised that it has explored four potential route options as part of an update to the original 2015 business case and that these options would be reviewed with the Region and local communities; and,

Whereas the City is concerned that other potential route options are even being considered given that the 2011 E.A. CP Rail line route was already approved and the 2015 business case was finalized; and,

Whereas the City continues to support the 2011 E.A. approved route through Central Oshawa to Bowmanville along the CP Rail line since it:

- Provides the greatest long-term community and economic development benefit;
- Supports the creation of a significant amount of jobs and increased assessment growth;
- Supports connectivity, walkability and opportunities for transit-oriented development;
- Supports development around the Central Oshawa station site to revitalize this area; and
- Supports development in the Downtown Oshawa Urban Growth Centre; and

Whereas it is important that any option other than the preferred CP Rail line route be subject to an open and transparent review process where municipal and public input can be provided before any decision is made by Metrolinx; and,

Whereas Metrolinx has proposed public meetings on the four options; and

Whereas the City is committed to continuing to work with Metrolinx and the Province to support the Lakeshore East GO Train extension through Central Oshawa to Bowmanville along the CP Rail line route;

Therefore be it resolved:

1. That Metrolinx be requested to undertake an open and transparent process to inform and obtain input from the Region of Durham, the City of Oshawa, the Municipality of Clarington and Town of Whitby, the residents, the businesses and the building and development industry and other stakeholders concerning to any potential changes to the current approved EA alignment and business case; and,
2. That Metrolinx be requested to provide information on the four potential route options and explain the criteria and metrics used to evaluate each option so that public input and input from the Region of Durham, the City of Oshawa, Municipality of Clarington and Town of Whitby can be considered and includes as part of the current process to update the business case; and,
3. That the President and CEO of Metrolinx be requested to attend a future Oshawa Council meeting to explain the potential four route options before they are submitted to the Province; and,
4. That a copy of this resolution be forwarded to the Region of Durham, the Municipality of Clarington, the Town of Whitby, all Durham MPP's, all Durham MP's, the Greater Oshawa Chamber of Commerce, the City's Building Industry Liaison Team, the Building Industry and Land Development Association (BILD), all post secondary institutions, the Durham Labour Council and the Chair and the President and CEO of Metrolinx.

## **By-laws**

None

## **Discussion Agenda**

### **Matters Excluded From Consent Agenda**

Moved by Councillor Chapman, seconded by Councillor Giberson  
“That Council adopt the recommendation contained in Correspondence CNCL-19-44 concerning a request for an exemption from the City of Oshawa Noise By-law.” Lost on the following vote

Affirmative – Councillor Marks and Mayor Carter

Negative – Councillors Chapman, Giberson, Gray, Hurst, Marimpietri, McConkey, Neal and Nicholson

Declaration of Interest – Councillor Kerr

Absent - None

Moved by Councillor Nicholson, seconded by Councillor Giberson,  
(414) “That pursuant to Correspondence CNCL-19-44 in future, when the City of Oshawa receives an application for extension of hours for noise generation that the City circulate a notice to area residents prior to the application being heard at committee.” Referred by the following motion

Moved by Councillor Marimpietri, seconded by Councillor Marks,  
(415) “That the motion regarding notice to area residents prior to application for Noise By-law exemptions be referred to staff.” Carried on the following vote

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

Negative – Councillors McConkey, Neal and Nicholson

Declaration of Interest – Councillor Kerr

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(416) “That Council adopt the recommendation contained in Item CS-19-51 concerning a request from PFLAG Durham for a rainbow crosswalk.” Carried by later vote

Moved by Councillor Nicholson, seconded by Councillor Giberson,  
(417) “That the motion be amended to add: ‘and That the Report return to Committee and Council to allow for construction and opening of a rainbow crosswalk on July 1, 2019 if approved.’” Tabled by later vote

Moved by Councillor Kerr, seconded by Councillor Marimpietri,  
(418) “That the amendment be amended to add: ‘and That if approved the location of the crosswalk be the crosswalk between City Hall and the Robert McLaughlin Gallery.’” Tabled by the following motion:

Moved by Councillor Gray, seconded by Councillor Marks,  
(419) "That the amendment concerning the date of opening and sub-amendment concerning the location of a rainbow crosswalk be tabled." Carried

The vote to adopt the recommendation contained in Item CS-19-51 Carried on the following

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

Negative – None

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(420) "That Council adopt the recommendation contained in Item CORP-19-46 concerning permission to light firecrackers to celebrate Diwali." Part 1 Carried, Part 2 Lost by later votes

A request was made to divide the recommendation to vote on each part separately.

The vote on Part 1 Carried.

The vote on Part 2 Lost.

Moved by Councillor Nicholson, seconded by Councillor Giberson,  
(421) "That the following be added as a new Part 2 to Item CORP-19-46: 'That the Fireworks By-law be amended to include Diwali celebrations as a Council approved holiday.'" Carried

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(422) "That Council adopt the recommendations contained in Item DS-19-76 concerning the Sixth Report of Heritage Oshawa." Carried by later votes

Moved by Councillor McConkey, seconded by Councillor Neal,  
"That Part 1 of the recommendation concerning the designation of 344 Thornton Road North be tabled." Lost on the following vote

Affirmative – Councillors Giberson, Hurst, McConkey and Neal

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

Absent – None

Moved by Councillor McConkey, seconded by Councillor Neal,  
“That Part 1 of the recommendation concerning the designation of 344 Thornton Road North be deferred until after the Committee of Adjustment meeting regarding the property.” Lost on the following vote

Affirmative – Councillors Giberson, Hurst, McConkey and Neal

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

Absent - None

The vote to adopt the recommendation contained in Item DS-19-76 Carried on the following

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

Negative – Councillors Giberson, Hurst, McConkey and Neal

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(423) “That Council adopt the recommendation contained in Item 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, Giberson, Gray, Hurst, Kerr, Marks, Nicholson and Mayor Carter

Negative – Councillors McConkey and Neal

Declaration of Interest – Councillor Marimpietri

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,  
(424) “That Council adopt the recommendation contained in Report CNCL-19-45 concerning the Lakeshore East GO Rail Extension through Central Oshawa to Bowmanville along the CP Rail Line.” Carried as amended by later votes

Moved by Councillor Nicholson, seconded by Councillor Marimpietri,  
(425) “That Part 4 be renumbered as Part 7 and the following be inserted after Part 3:

- ‘4. That Oshawa MPPs Jennifer French, Lindsay Park and Whitby MPP Lorne Coe be invited to attend a meeting of Council to answer questions and offer their views on the expansion of GO services to Oshawa and Bowmanville; and,
5. That Premier Doug Ford and Minister of Transport Jeff Yurek be invited to attend a meeting of City Council to answer questions and offer their views on the expansion of GO services to Oshawa and Bowmanville; and,

6. That staff prepare a report on the economic impact of both CN and CP based routes for GO service expansion to Oshawa.’.” Carried by later vote

Moved by Councillor Chapman, seconded by Councillor Giberson, (426) “That the meeting be extended after 11:00 p.m.” Carried

The vote on the amendment to renumber Part 4 to Part 7 and add new parts after Part 3 Carried on the following

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

Negative – None

Absent – None

The vote on the recommendation contained in Item CNCL-19-45 Carried as amended on the following

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

Negative – Councillor McConkey

Absent – None

## **Matters Tabled**

No matters were lifted from the table.

## **Notices of Motion**

Councillor McConkey provided the following three Notices of Motion:

“To investigate a pilot project permitting the City of Oshawa to have the accessible washrooms at Memorial Park open to the public this summer from 10:00 a.m. to 7:00 p.m. seven days a week, with a security patrol person engaged outside the washrooms to ensure the area is kept safe; and,

That this motion be referred to the appropriate City department for a staff Report to a City Standing Committee at the earliest possible date to determine the logistics and costs of implementing this project; and,

This motion be referred to the Community Services Committee.”

And

“Whereas new development has begun north of Conlin Road, east of Ritson Road and there is a Hydro One corridor in this area of Ward 1; and,

Whereas other Ontario municipalities have successfully constructed multi-use trails in Hydro One corridors that are beneficial to their cities,

That the appropriate City department investigate constructing a multi-use trail on the Hydro One Corridor in Ward 1 north of Conlin Road; and,

This motion be referred to the Development Services Committee.”

And

“Whereas City Reports regularly reference various City Department Heads by their position, but not by name; and,

Whereas there are employment changes that make following ‘who is who when’ difficult for the readers of the Reports; and,

For ensuring an accurate historical record, that the City ensure a Department Head be identified by their proper name at least once in a City Report; and,

This motion be referred to the Corporate Services Committee.”

Councillor Giberson provided the following Notice of Motion:

“Whereas the City of Oshawa aspires to make the downtown a pedestrian-friendly environment;

That Development Services staff investigate options to have downtown developments that require a blockage of sidewalks create pedestrian walkways around the blocked sidewalk, using parking stalls or street lanes as necessary; and,

This motion be referred to the Development Services Committee.”

### **Confirming By-Law**

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

49-2019 A by-law to confirm the City Council meeting of May 21, 2019.

### **Adjourn**

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

The meeting adjourned at 11:22 p.m.