

Development Services Department

Date: June 2, 2021

File: F-2510-0014

To: Chair and Members of Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner
Development Services Department

Re: **2021-2022 Oshawa Executive Airport Action Plan**

1.0 Purpose

The purpose of this memo is to recommend that Development Services Committee recommend that City Council endorse the draft 2021-2022 Oshawa Executive Airport Action Plan (the “Plan”).

2.0 Background

At its meeting of March 29, 2021, City Council considered Report DS-21-44, a report of the Commissioner of Development Services regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan and passed the following resolution:

“That, pursuant to Report DS-21-44 dated March 3, 2021, Development Services staff be directed to obtain public input on the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan outlined in said Report, using the approach described in Section 5.14 of said Report, which will include holding a public meeting of the Development Services Committee.”

On May 10, 2021, a public meeting was held with respect to the Plan. At the conclusion of the public meeting, the Development Services Committee adopted recommendations to refer the Plan and eight pieces of correspondence to staff for consideration in the future recommendation report on this matter.

A copy of DS-21-44, including the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan, can be found at the following link:

http://app.oshawa.ca/agendas/development_services/2021/03-08/report_ds-21-44.pdf.

The Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan contains the following fourteen (14) action items related to the Oshawa Executive Airport.

Action 1: Continue to Advance an Appropriate Balance Between the Airport and the Residential Communities

A common theme at the Town Hall and the virtual Workshops was the need to bring better balance of the operational aspects of the Airport with the quality of life of the residents in the surrounding community. The 2021-2022 Airport Action Plan will attempt to advance a better balance through the advancement of the Actions listed in this memo.

Action 2: Continue to Defend the City's Interests in Legal Proceedings Involving Canadian Flight Academy Ltd.

The City is currently in litigation with C.F.A., one of two existing flight schools operating out of the Airport. Section 5.7 of DS-21-44 provides contextual details regarding this litigation. Development Services staff and the City Solicitor, in consultation with the City's Airport Manager, will continue to defend the City's interests in this regard, as directed by Council.

Action 3: Market the Airport as an Executive Airport

As noted previously in Section 5.13 of DS-21-44 part of the purpose of the 2015-2019 Airport Business Plan was to continue to strengthen the role of the Airport as an executive Airport and an economic asset to provide high quality aviation facilities that encourage economic growth and meet corporate aviation needs. It is appropriate to support and advance the role of the Airport as an executive Airport and an economic asset that is available to be used by the Oshawa and Durham business community. In this regard, marketing the executive function of the Airport and its operational ability to serve as an economic gateway for goods and services is a key action item that maintains and reinforces the City's ongoing efforts in this regard.

Economic Development Services staff would continue to work with the local business community, including the Greater Oshawa Chamber of Commerce and post-secondary institutions, to look at opportunities for corporate aviation growth at the Airport.

Action 4: Advance Opportunities to Restrict Flight Training Schools

On October 15, 2019, City Council directed staff to, amongst other matters, specifically review issues concerning flight training with a view of reducing the amount of flight training aircraft traffic. Four methods available to Council would be as follows:

Action 4A: Re-affirm for Transport Canada that the City of Oshawa is Formally Opposed to the Establishment of New Flight Training Schools at the Airport.

In order to obtain an operating certificate as a base of operation, new flight training schools require permission from the Airport Manager. Accordingly, the Airport Manager will not consent to the issuance of any new certificates in this regard.

Action 4B: Investigate on Amendment to Zoning By-law 60-94 to Limit the Number of Flight Training Schools at the Airport.

Investigating an amendment to Zoning By-law 60-94, as amended, to reduce the number of flight training schools permitted at the Airport from two to one supports the initiative of the Airport Manager noted under Action 4A directly above to not consent to the issuance of any new operating certificates. This investigation would be advanced if the City is successful in legal proceedings involving C.F.A.

Action 5: Complete Phase 2 of Air Quality and Noise Study

Phase 1 of the Air Quality and Noise Study for the Airport took place in 2019 and Phase 2 was delayed due to the restrictions caused by the COVID-19 pandemic. However, it is now possible to advance Phase 2 of the Air Quality and Noise Study with data anticipated to be

collected from within the residential community surrounding the Airport in July and August of 2021.

Action 6: Continue to Investigate Process to Establish New Noise Abatement Procedures and Restrictions

At its meeting of February 22, 2021, pursuant to Report DS-21-23 dated February 3, 2021, City Council authorized the Commissioner of Development Services, in consultation with the City's Airport Manager, to advance the process prescribed in Advisory Circular 302-002 to request Transport Canada to establish a new noise abatement procedure at the Airport. Accordingly, staff will undertake the process outlined in the Advisory Circular, including the engagement of a qualified consultant with familiarity of the requirements of the Advisory Circular process to assist staff in this regard.

Action 7: Explore New Technologies and the Use of Unleaded Fuels

On May 21, 2019, Council directed that the use of new technologies for aircraft noise reduction and the phase-out of the use of unleaded fuel be explored as part of the process to update the Airport Business Plan. As such, it is appropriate to determine the availability of noise reduction technologies and unleaded fuel options for aircraft. The above-noted investigation has already been initiated by the Airport Manager and there is no cost associated with this work.

Action 8: Continue to Advocate With Transport Canada for Increased Enforcement of Safety

At a special meeting of Council held on December 11, 2017, the Airport Manager was directed to send a letter to Transport Canada advising them that a number of neighbors have expressed concern with the height that aircraft are flying over their homes while landing and taking off at the Airport.

In correspondence dated February 21, 2018, Transport Canada responded to the Airport Manager on the matter of aircraft height restrictions operating at an Airport, noting that Transport Canada Civil Aviation Safety Inspectors will be visiting the Airport to observe circuit operations. A Transport Canada Inspector subsequently visited the Airport on September 6, 2018. The Inspector made observations from within the control tower and no irregularities were observed during the visit. City staff and the Airport Manager will continue to advocate with Transport Canada for increased enforcement of safety.

Action 9: Continue to Advocate With Federal and Local Elected Officials

Letters to the Federal Minister of Transport and Oshawa M.P.s and M.P.P.s were issued by the City pursuant to resolution DS-20-124 adopted by Council on October 26, 2020, requesting their support to address residents' concerns regarding noise, air quality and safety at the Airport. Given that there is now a new Federal Minister of Transport, it is appropriate that the City's request be re-sent by the Mayor, together with new details advising of Council's decision on February 22, 2021 to undertake the process identified by Transport Canada Aviation Advisory Circular 302-002 to establish noise abatement procedures and restrictions at the Airport.

Action 10: Initiate Review of Fees

The 2015-2019 Airport Business Plan included a review of Airport fees. It is appropriate to undertake a new review of fees at the Airport relative to the fees levied at other airports. This work can be undertaken by the Airport Manager and there is no cost associated with completing the work.

Action 11: Update the 25 Year Capital Forecast through Annual Budget

The 2015-2019 Airport Business Plan included a 25 year capital forecast. It is appropriate to complete an update to the Airport capital plan.

Action 12: Continue to Advance Recommendations of the Independent K.P.M.G. Airport Audit

Pursuant to Council's consideration of Report CNCL-20-66 dated May 20, 2020 regarding an independent Internal Audit of the Oshawa Executive Airport by K.P.M.G., five key recommendations were highlighted in the report and endorsed by Council as the general basis for improvements at the Airport (see Section 5.9 of DS-21-44).

Action 13: 1997 Operating Agreement

On October 15, 2019 City Council adopted a motion (Item DS-19-183) directing staff to, among other matters, prepare an information report outlining the current status of the 1997 Operating Agreement for the Airport between the City and the Federal Government.

Action 14: Continue to Advance Public Communications on Airport Matters

Staff will continue to advance opportunities to improve communications with the public on matters relating to the Airport as an ongoing practice. This includes updating the Airport webpages and providing notification, as appropriate, of forthcoming reports on Airport matters.

Members of the public were invited to comment on the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan by participating in the virtual public meeting held by the Development Services Committee on May 10, 2021, completing a feedback form available online on Connect Oshawa until May 28, 2021 and/or submitting written correspondence. Table 1 to this memo contains a summary of the key comments received by the City.

Staff have carefully and comprehensively reviewed the comments and have concluded there is no need to change any of the proposed Action Items. As a result, staff recommend Council endorse the Action Plan.

Attachment 2 to this Report is the minutes of the May 10, 2021 public meeting.

3.0 Recommended Action

That the Development Services Committee recommend to City Council that pursuant to Memorandum DS-21-137 dated June 2, 2021, that Council endorse the 2021-2022 Oshawa Executive Airport Action Plan.

If you require further information or clarification, please contact me at the address shown or by telephone at (905) 436-3311, extension 2410 or by email to wmunro@oshawa.ca.



Warren Munro, HBA, RPP, Commissioner
Development Services Department

Table 1: 2021-2022 Oshawa Executive Airport Action Plan Comment Table

Number	Comment
1	It was stated that the number of flights permitted should be significantly restricted and/or reduced, especially on weekends and evenings.
2	Concerns were expressed with the flight schools and the number of “touch and go’s” during the day. It was requested that the number of flights by the flight schools be limited with related changes to the aircraft altitude and/or flight paths.
3	There was general support to market the Airport as an Executive Airport, as long as the total number of flights are decreased significantly and airport operations do not include flight schools.
4	There was a request to remove the flight schools from the Airport.
5	There was a request for flight schools to relocate their training south of the Airport, either over the lake or over the industrial lands in south Oshawa (or anywhere away from residential neighbourhoods).
6	Concerns were expressed that Airport management does not take into account the best interests of the residents by permitting flight schools to reside in Oshawa, despite knowing the noise and pollution that comes with it.
7	It was stated that the operations of the Airport and its facilities should be expanded to bring in new investments and opportunities to Oshawa.
8	There is support for Action 4B regarding amending the Zoning By-law to limit the number of flight training schools at the Airport, and that this be advanced regardless of the legal proceedings with C.F.A.
9	Concerns were expressed over the increase in noise in the neighbourhood and the impacts the noise has on the community (e.g. wakes up children, hard to concentrate for those working from home, difficult to have a conversation outside, decreases quality of life, impacts mental health, residents cannot enjoy their backyard/front yards, etc.). The significant increase in noise over the past few years has become unbearable for many residents.
10	There were concerns expressed about air pollution from the increase in flight traffic.
11	There was a suggestion to consider additional items as part of the noise study, including frequency of flights, intensity of the noise and the Doppler effect, duration of the audible sound and the noise footprint over Oshawa and Whitby.

Number	Comment
12	A statement was made that no concrete action is being taken to address the noise issues related to the Airport and flight schools.
13	It was suggested that the City should apply the City's Noise By-law to the Airport.
14	There was a concern expressed that the Airport does not follow curfews and a request for stricter curfews to limit flight traffic in the morning, evenings and on weekends.
15	It was suggested that the City should revisit the current Noise and Traffic Management Policy to enact stricter measures under a voluntary basis, and whether or not the City is confident that the only option at this point is to pursue the formal noise abatement procedure with Transport Canada.
16	A suggestion was made to make the flight schools upgrade their planes to make them less noisy, add sound proofing measures to their planes and generally limit the number of "noisy" planes at the Airport.
17	It was stated that planes are flying too close to houses, even when they are flying further away from the Airport, which poses a safety risk for residents.
18	There was a request for clarity regarding who monitors aircraft altitudes and a related request that there should be better enforcement on altitude restrictions.
19	There were concerns over airplanes flying too low and close to residential houses.
20	There were concerns about allowing planes to fly over the 5 knot threshold.
21	A suggestion was made to charge more money to those flying private planes/jets out of the Airport.
22	There were concerns expressed over how Airport complaints are actually handled.
23	A comment was made that the Airport should be moved north of Oshawa, or somewhere away from residential neighbourhoods, and the airport lands should be redeveloped.
24	There was support for passenger flights and a suggestion to contact domestic airline companies to see if they can provide passenger flights from Oshawa to various destinations in Ontario and/or Quebec (e.g. Montreal).
25	There was a suggestion that a hotel should be built somewhere near the Airport.
26	Concerns were expressed about the operation of flight schools during the pandemic and Provincial Stay-At-Home Order.
27	There was a request made to shut down the Airport.

Number	Comment
28	There was a request to ban direct flights over residential areas.
29	There was a request for no further expansions at the airport, including airport infrastructure (e.g. airport hangars) or runways.
30	There was a suggestion to build an additional runway in north Oshawa, in a remote area to allow for “touch and go” training.
31	There were concerns expressed that City staff are meeting with airport businesses to discuss growth opportunities.
32	A question was asked regarding why flight schools cannot use flight simulators to assist with their training, which can help with reducing noise and pollution.
33	Concerns were expressed over an Airport expansion and the assumption that an expansion would only benefit Airport staff who are presumably paid on a usage schedule.
34	A request was made that certain runways be used at certain times to bring some balance to the various neighbourhoods in Oshawa.
35	A suggestion was made that the airport land is ideal for another type of use (e.g. hospital, senior’s residence, etc.).
36	It was suggested that there has not been a single year in the past decade that the Oshawa airport has operated in the black, and the City should challenge the agreement with Transport Canada given that the airport is a continually losing revenue and tax payers are forced to cover the losses.
37	A suggestion was made to return the ownership of the Airport back to Transport Canada or tender it on a long term lease to a private company.
38	A suggestion was made to alter flight paths to avoid flying over Whitby.
39	It was suggested that executive/private planes should not be flown out of the Airport. Limit flights to medical and police only.
40	Concerns were expressed that the flight schools in Oshawa are promoting themselves globally to encourage non-Canadians to come to Oshawa to then return to their country to become a pilot.
41	Question regarding if the City is planning on passing along all of the noise and pollution complaints/comments to the Transport Minister.
42	There was some support for the flight schools and a request to keep the flight schools open, as they are essential to help reduce the pilot shortage due to the COVID-19 pandemic and are good for the local economy.

Number	Comment
43	There was general support for the continued operation of the Airport, as it has been a part of Oshawa for many years and provides many benefits to the local economy.
44	A comment was made that the airport was there long before the surrounding homes were built.
45	There was a request for an Economic Impact Study to be completed. A lot of money is being spent on studies to justify closing the airport, but studies should also be completed to determine the future impacts on the City if and when the Airport ever closes.
46	There was a comment made that there was support for City staff obtaining feedback on the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan.
47	A comment was made that the Airport has a historical significance to the City.
48	A comment was made that residents enjoy watching the planes fly in the sky.
49	There was a suggestion to market the Airport as a Research and Development site, with the potential to partner with local post-secondary institutions.
50	There was a suggestion to explore other sources of revenue for the Airport, in addition to the flight schools.
51	There was a suggestion to change the name of the Airport to “Oshawa Municipal Airport” or “Oshawa City Airport”, as executives do not pay for the Airport nor do they own the airport, as it is a City facility that all City residents pay for.
52	There was a comment that Phase 2 of the Air Quality and Noise Study is a waste of money, as the first study conducted found no levels of concern and this should not change significantly during Phase 2.
53	There was a comment that the Airport studies should include a radius of 15 km or more when examining noise and/or air quality.
54	There was a comment that blame is being passed around by all levels of government, departments, etc. regarding concerns over the Airport.
55	There was a concern expressed that it is not clear what “a better balance” exactly means regarding the airport, its users and the surrounding residents.
56	Request to expand the boundary of the Airport for further studies (e.g. north of Conlin, east of Ritson, etc.).

Number	Comment
57	Many regional airports around the world including many in Canada will be grappling with the same issues. A suggestion was made to select a number of similar candidates in other jurisdictions and reach out to learn what analysis/studies/etc., solutions, mitigation measures, strategies, etc. they have employed to find that compromise between the business and residential needs.
58	A suggestion was made to examine a variety of factors if the Airport were to close, limit its operations or relocate, such as its impact on safety, quality of life, opportunity cost of redevelopment, value of land, economic benefits of airport, and stakeholder input.
59	It was suggested that the Provincial government and/or the Ministry of Colleges and Universities should be consulted when creating the draft proposed Airport Action Plan.
60	It was suggested that the City should follow the Billy Bishop Airport guidelines and recommendations to reduce aircraft noise and leaded (exhaust) air pollution.
61	Dissatisfaction with the way the Air and Noise Study is being completed and concerns that external noise will alter the results of the study (e.g. trucks, lawnmowers, etc.).
62	Concern that if the number of aircraft movements drop significantly, there is risk of losing the NAV Canada control tower.
63	Concern that there is no enforcement for private flights taking off in the middle of the night, past the voluntary flight curfew.
64	Concern that fire training from the fire department may impact the Air and Noise Study.
65	Dissatisfaction with the proposed Airport Action Plan.
66	Support for the proposed Airport Action Plan.
67	Flight schools should be regulated with mandatory controls rather than the voluntary controls currently in place.
68	There cannot be an appropriate balance between the airport and the residential communities due to proximity. The proximity is due to poor planning by prior City of Oshawa governments.
69	Noise and air pollution from the airport are not being effectively abated by technologies/landscaping currently in place. This does not demonstrate effective leadership to address the health and well-being of citizens of Oshawa as per the city's official plan. Request to restrict the operations of fossil fuel burning vehicles from the airport.

Minutes of the Development Services Committee meeting held at 1:30 p.m. and of a public meeting held to receive input regarding the draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport and of the draft Proposed 2021-2022 Oshawa Executive Airport Action Plan held at 6:30 p.m. in the Council Chamber with electronic participation on Monday, May 10, 2021.

Present: Councillor Marimpietri, Chair
Councillor McConkey, Vice-Chair
Councillor Chapman, Member
Councillor Hurst, Member
Councillor Kerr, Member
Mayor Carter, Ex Officio

Also

Present: Councillor Giberson
Councillor Nicholson
F. Bianchet, Council-Committee Coordinator
R. Rossetti, Council-Committee Coordinator
W. Munro, Commissioner, Development Services Department
T. Goodeve, Director, Planning Services
J. Shestowsky, Manager, Administrative Services
M. Harrington, Manager, Policy
A. Ambra, Director, Engineering Services
R. Gill, Transportation Engineer

Absent: None

Public Agenda

Additional Agenda Items

None

Declarations of Pecuniary Interest

Councillor Marimpietri made a declaration of interest concerning Report DS-21-95 regarding the proposed extension of Interim Control By-law 25-2020 – Land use study of GI (General Industrial) zoned lands in the Northwood Business Park as he has family whom own property and reside within the area potentially affected by the item and did not take part in discussion or voting on the matter.

(See Page 7)

Presentations

None

Delegations

None

Correspondence Requiring Action

DS-21-106 Durham District School Board – Surplus Property –
300 Ritson Road South

Moved by Councillor McConkey,
“That Correspondence DS-21-106 from the Durham District School Board concerning a surplus property be referred to staff with a direction to liaise with the school board to draw attention to school deficiencies in this area and prepare a report on the pressures and needs for a plan for future needs.” Lost on the following vote

Affirmative – Councillors Marimpietri and McConkey

Negative – Councillors Chapman, Hurst, Kerr and Mayor Carter

Absent – None

Moved by Mayor Carter,
“That the Development Services Committee recommend to City Council:

1. That the Durham District School Board retain the school property at 300 Ritson Road South for future growth in the central part of Oshawa; and,
2. That the Durham District School Board and the Durham Catholic District School Board be requested to meet with staff, the Mayor and Chair, Development Services Committee to discuss the importance of schools to accommodate growth in central Oshawa.” Carried by later vote

Moved by Councillor McConkey,
“That the motion be amended to add ‘and report back to Council with a report.’” Lost on the following vote

Affirmative – Councillor McConkey

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

Absent – None

The vote to adopt the motion concerning Correspondence DS-21-106 Carried on the following

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

Negative – None

Absent – None

Referrals from Council and Standing Committees

DS-21-100 Notice of Motion – Comprehensive Review of the City’s Real Estate Policy with respect to the City’s Acquisition and Disposition of Real Property

“That staff undertake a comprehensive review of the City's real estate policy for Council approval with respect to the City's acquisition and disposition of real property.”

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

That staff undertake a comprehensive review of the City's real estate policy for Council approval with respect to the City's acquisition and disposition of real property.” Lost on the following vote

Affirmative – Councillors Hurst and McConkey

Negative – Councillors Chapman, Kerr, Marimpietri and Mayor Carter

Absent – None

Moved by Mayor Carter,
“That the Development Services Committee recommend to City Council:

That DS-21-100 being a Notice of Motion concerning a comprehensive review of the City’s Real Estate Policy with respect to the City’s acquisition and disposition of real property be received for information.” Carried on the following vote

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

Negative – None

Absent – None

DS-21-101 Notice of Motion – Advancement of Community Improvement Plan related to the 40 row houses on Olive Avenue

“That the City of Oshawa investigate advancing measures such as, but not limited to, a possible new Community Improvement Plan (CIP) that addresses renewal and building improvements related to the 40 row houses on Olive Avenue built circa 1910, so there may be financial incentives that encourage rehabilitation of buildings and the provision of grants to owners.”

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

That the City of Oshawa investigate advancing measures such as, but not limited to, a possible new Community Improvement Plan (CIP) that addresses renewal and building improvements related to the 40 row houses on Olive Avenue built circa 1910, so there may be financial incentives that encourage rehabilitation of buildings and the provision of grants to owners.” Lost on the following vote

Affirmative – Councillors Hurst and McConkey

Negative – Councillors Chapman, Kerr, Marimpietri and Mayor Carter

Absent – None

Reports from Advisory Committees

Third Report of Heritage Oshawa (DS-21-104)

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

1. Designation of 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East (HTG-21-26)
-

Recommendation

Whereas Heritage Oshawa heard a presentation on a development proposal (originally presented to Heritage Oshawa on November 26, 2020 and presented in amended form on January 28, 2021) concerning the properties at the civic addresses 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East, Oshawa; and,

Whereas in response to this proposal, over the period from November 2020 to February 2021, Volunteer Members of the former Heritage Oshawa Inventory and Designation Working Group and of Heritage Oshawa researched the history and heritage attributes of these properties, producing Report HTG-20-58; and,

Whereas at the January 28, 2021 meeting, Heritage Oshawa struck the Designation Working Group, consisting of Ann Dulhanty, for the purpose of reviewing Report HTG-20-58, and Report HTG-21-05, which compiles and comments on the materials collected, is the result; and,

Whereas 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East represent two distinct building structures; however, since the development proposal is for all these addresses simultaneously, Report HTG-21-05 contains information about both. It should also be noted that 7 Simcoe Street South is attached to the buildings reported on here, although it is not part of the same development proposal; and,

Whereas the findings of Report HTG-21-05 establish that the subject properties, built circa 1860 and included as Class B properties in the Heritage Oshawa Inventory, meet the criteria for design or physical value, historical or associative value, and contextual value as the only remaining Victorian-era commercial buildings of Oshawa's original commercial hub, the Four Corners at King Street and Simcoe Street; and,

Whereas 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East have design or physical heritage value as examples of the Italianate style of commercial building of the period, especially in the form of the decorative brick and stone features on the parapet and around the second and third floor windows of 5 Simcoe Street South; and,

Whereas 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East have associative value in the long line of notable Oshawa merchants who have operated businesses at these addresses from the earliest years of the settlement, including the following tenants in 1932;

- 1 Simcoe Street South: Bassett's (Jewellers);
- 1 1/2 Simcoe Street South: Harry Atkins (Lingerie);
- 3 Simcoe Street South: George W. McLaughlin;
- 3 Simcoe Street South: Dr. S. J. Phillips (dentist);
- 3 Simcoe Street South: Masonic Hall;
- 3 King Street East: Borsook Millinery;
- 5 King Street East: Bouckley's Shoe Repair;
- as of 1970, Laura Secord's and Bassett Jewellers; and,

Whereas 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East have contextual value in their location on the southeast corner of Oshawa's "Four Corners"—the location of Edward Skae's mid-1800s "checkerboard" store (1830–1842)—when the area was known as Skae's Corners; and,

Whereas the Victorian commercial buildings on this southeast corner are the only ones of this era remaining on the Four Corners and are a landmark of Oshawa's historic downtown and long-time commercial hub; 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 and contributing to the local quality of life;
- Qualifying the property owner for tax credits (when available);
- Acknowledging Oshawa's architectural past;
- Benefitting economic sectors, including tourism;
- 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 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East be designated as a property of cultural heritage significance under the *Ontario Heritage Act*.

Moved by Councillor Chapman,

"That the Development Services Committee recommend to City Council:

That Report DS-21-104 being the third report of Heritage Oshawa concerning the Designation of 1, 3, 5 Simcoe Street South and 3, 5, 7 King Street East be received for information." Carried on the following vote

Affirmative – Councillors Chapman, Kerr, Marimpietri and Mayor Carter

Negative – Councillors Hurst and McConkey

Absent – None

Reports/Motions Requiring Action

None

Councillor Marimpietri made a declaration of interest concerning Report DS-21-94 regarding an update on the realignment of Athol Street between Simcoe Street South and Albert Street as he has family members whom own property within the area potentially affected by the item and did not take part in discussion or voting on the matter.

Public Consent Agenda

Correspondence

DS-21-102 AnneMarie Snider Submitting Comments with respect to the Potential Sale of the former Cedardale Public School

Recommendation (Carried - See Page 11)

That Correspondence DS-21-102 from AnneMarie Snider submitting comments with respect to the potential sale of the former Cedardale Public School be referred to Heritage Oshawa.

DS-21-103 David Talbot Submitting Comments with respect to the Potential Sale of the former Cedardale Public School

Recommendation (Carried - See Page 12)

That Correspondence DS-21-103 from David Talbot submitting comments with respect to the potential sale of the former Cedardale Public School be referred to Heritage Oshawa.

Reports

DS-21-94 Update on the Realignment of Athol Street between Simcoe Street South and Albert Street

Recommendation (See Page 12)

That the Development Services Committee recommend to City Council:

That pursuant to Report DS-21-94 dated May 5, 2021 concerning the Update on the Realignment of Athol Street between Simcoe Street South and Albert Street South be received for information.

DS-21-95 Proposed Extension of Interim Control By-law 25-2020 – Land Use Study of GI (General Industrial) zoned lands in the Northwood Business Park

Recommendation (Carried - See Page 12)

That the Development Services Committee recommend to City Council:

Whereas on February 24, 2020, City Council considered Report DS-20-43 dated February 19, 2020 and directed staff to undertake a land use study to review the appropriateness of the current GI (General Industrial) zoning within portions of the area known as the Northwood Business Park (the “Land Use Study”); and,

Whereas on February 24, 2020, City Council passed Interim Control By-law 25-2020 (the ‘Interim Control By-law’) for a period of one (1) year to prohibit the use of any land, building, or structure for the purpose of developing land in a GI (General Industrial) Zone within the Northwood Business Park, except for such lawful uses within lawfully existing buildings and structures as the land was being used for on the date of the passing of the Interim Control By-law, consisting of the following two areas:

- a) The northern portion of 918 Taunton Road West; and,
- b) A portion of 1455, 1515 and 1517 Thornton Road North; and,

Whereas on September 23, 2020, the Committee of Adjustment considered an application (File: A-2020-56) submitted by D.G. Biddle on behalf of RIC (1515 Thornton) Inc. (the ‘Application’) for variances from the City’s Zoning By-law 60-94, including the Interim Control By-law, to permit an anaerobic digestion facility in new buildings and new associated outdoor equipment at 1515 Thornton Road North and adopted the following recommendation:

‘That the application by D.G. Biddle on behalf of RIC (1515 Thornton) Inc. for 1515 Thornton Road North, Oshawa, Ontario, be tabled indefinitely’; and,

Whereas on October 13, 2020, the City received a letter from Erik Gillespie, J.D., on behalf of both the Ummah Foundation of Durham and the owner of 1515 Thornton Road North, advising that the Application had been appealed to the Local Planning Appeal Tribunal (‘L.P.A.T.’) pursuant to Section 45(12) of the Planning Act, R.S.O. 1990, c. P.13 (the ‘Appeal’); and,

Whereas pursuant to Report DS-20-131 dated November 4, 2020 staff were authorized by Council to represent the City at the L.P.A.T. hearing regarding the Appeal, which began on February 22, 2021 and ended on February 26, 2021; and,

Whereas the L.P.A.T. has not yet issued a decision regarding the Appeal; and,

Whereas it is appropriate to defer the Land Use Study until the L.P.A.T. has issued a decision regarding the Appeal given that the outcome of the Appeal could have implications on the Land Use Study; and,

Whereas pursuant to Ontario Regulation 149/20, the Interim Control By-law expiry date of February 24, 2021 has been extended for an additional period of 97 days as a result of the COVID-19 pandemic and the Provincial suspension of certain legislative timelines and accordingly, the Interim Control By-law will now expire on May 31, 2021 unless further extended; and,

Whereas pursuant to Section 38(2) of the Planning Act, Council can extend the period during which an Interim Control By-law is in effect for a maximum duration of two years, which in this case is until May 31, 2022; and,

Whereas upon completion of the Land Use Study and the approval of any implementing planning instruments, the Interim Control By-law, as extended, may be repealed prior to the May 31, 2022 extension date;

Therefore, be it resolved that Interim Control By-law 25-2020 be extended to May 31, 2022 to provide sufficient time for the Local Planning Appeal Tribunal to issue its decision on the Appeal of the Committee of Adjustment decision regarding File: A-2020-56, and to allow staff to complete the Land Use Study taking into consideration the Tribunal’s decision, prepare any proposed planning instruments (e.g. Official Plan and/or Zoning By-law Amendments) to guide the development of those existing GI (General Industrial) zoned lands in the Northwood Business Park, and implement any recommended planning instruments.

DS-21-107

Direction on City Staff Involvement Respecting Appeals to the Conservation Review Board of a Council Decision Concerning the Issuance of a Notice of Intent to Designate 195 Simcoe Street North Under the Ontario Heritage Act

Recommendation (Carried - See Page 13)

That the Development Services Committee recommend to City Council:

Whereas the dwelling located at 195 Simcoe Street North and known as the Robert McLaughlin House is a ‘listed, non-designated’ property on the City’s Register of Properties of Cultural Heritage Value or Interest (the ‘Register’) under Section 27 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 (‘Ontario Heritage Act’) but is not currently designated; and,

Whereas on February 2, 2021, Nantuck Investments Inc. (the 'Owner') provided to the City a Notice of Intent to Demolish the Robert McLaughlin House; and,

Whereas on February 8, 2021, the Development Services Committee considered the above-noted letter dated February 2, 2021 from Nantuck Investments Inc. as Correspondence DS-21-24, and recommended to City Council that the correspondence be received for information; and,

Whereas on February 22, 2021, City Council referred Correspondence DS-21-24 to Heritage Oshawa for comment; and,

Whereas on February 25, 2021, in response to the referral of Correspondence DS-21-24, Heritage Oshawa recommended the Robert McLaughlin House be designated under Part IV of the Ontario Heritage Act; and,

Whereas, on March 15, 2021, the Development Services Committee considered Item DS-21-24 and recommended to City Council as follows (Item: DS-21-42):

- '1. That, pursuant to Item DS-21-42, the second report Heritage Oshawa, Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate, the Robert McLaughlin House, located at 195 Simcoe Street North, as a property of cultural heritage value or interest under the Ontario Heritage Act by undertaking the following:
 - (a) Prepare a Notice of Intent to Designate the property known as the Robert McLaughlin House, located at 195 Simcoe Street North under the Ontario Heritage Act; and,
 - (b) Publish the Notice in accordance with the Ontario Heritage Act; and,
 - (c) Forward the Notice to the Ontario Heritage Trust in accordance with the Ontario Heritage Act; and,
 - (d) Prepare the necessary by-law and Designation Statement and Description, with input from Heritage Oshawa, for approval by Council; and,
2. That, pursuant to Item DS-21-42, the second report Heritage Oshawa, Development Services staff be directed to investigate with the property owner of 195 Simcoe Street North any possible opportunities for the adaptive reuse of the property.'; and,

Whereas on March 29, 2021, City Council endorsed Item DS-21-42; and,

Whereas pursuant to Council's endorsement of Item DS-21-42, City staff prepared a Notice of Intent to Designate the Robert McLaughlin House under Part IV of the Ontario Heritage Act, and published the Notice in the local Oshawa This Week newspaper on April 1, 2021 as well as forwarded the Notice to the Ontario Heritage Trust and the property owner, in accordance with the Ontario Heritage Act; and,

Whereas the City Clerk has received two (2) Notices of Objection to the Notice of Intent to Designate within the 30-day legislated appeal period under the Ontario Heritage Act, which period expired on May 3, 2021 (Attachments 1 and 2 of said Report); and,

Whereas Council policy requires that the Development Services Department prepare a report to the Development Services Committee when an appeal is lodged against a Council decision;

Therefore be it resolved:

1. That pursuant to Item DS-21-107 dated May 10, 2021, the Conservation Review Board be advised that Oshawa City Council maintains their position that the Robert McLaughlin House at 195 Simcoe Street North be designated under Part IV of the Ontario Heritage Act; and,
2. That pursuant to Item DS-21-107 dated May 10, 2021, the City of Oshawa seek party status at the Conservation Review Board; and,
3. That pursuant to Item DS-21-107 dated May 10, 2021, City staff be authorized to attend the Conservation Review Board hearing in support of Council's position; and,
4. That upon the conclusion of the Conservation Review Board hearing, City staff report back to the Development Services Committee and Council with the Conservation Review Board's recommendation report with respect to the designation of the Robert McLaughlin House.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Kerr,

"That the Development Services Committee adopt the recommendation contained in Correspondence DS-21-102 from AnneMarie Snider submitting comments with respect to the potential sale of the former Cedardale Public School." Carried

Moved by Councillor Kerr,

“That the Development Services Committee adopt the recommendation contained in Correspondence DS-21-103 from David Talbot submitting comments with respect to the potential sale of the former Cedardale Public School.” Carried

Councillor McConkey assumed the Chair.

Moved by Councillor Kerr,

“That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-21-94, staff be directed to:
 - a) remove the westbound left turn (south) lane markings at the intersection of Athol Street East and Celina Street; and,
 - b) install six (6) additional parking spaces and one loading space as generally depicted on Attachment 1 to said report; and,
 - c) sign one of the (6) additional spaces as a short term lay-by space for curbside pick-up as generally depicted on Attachment 1 to said Report; and,
2. That, pursuant to Report DS-21-94, the related capital project be approved and funded from the Transportation Reserve with funding in the amount of \$15,000 plus H.S.T.; and,
3. That, pursuant to Report DS-21-94, the Commissioner, Community Services Department be authorized to amend the Traffic By-law to give effect to Items 1 a) to 1 c) above as generally depicted on Attachment 1 to said Report.” Carried on the following vote

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

Negative – None

Declaration of Interest – Councillor Marimpietri

Absent – None

Moved by Councillor Chapman,

“That the Development Services Committee adopt the recommendation contained in Report DS-21-95 concerning the proposed extension of Interim Control By-law 25-2020 – Land Use Study of GI (General Industrial) zoned lands in the Northwood Business Park.” Carried on the following vote

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

Negative – None

Declaration of Interest – Councillor Marimpietri

Absent – None

Councillor Marimpietri resumed the Chair.

Moved by Councillor McConkey,

“That the Development Services Committee adopt the recommendation contained in Report DS-21-107 concerning direction on City staff involvement respecting appeals to the Conservation Review Board of a Council decision concerning the issuance of a notice of intent to designate 195 Simcoe Street North under the Ontario Heritage Act.”
Carried on the following vote

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

Negative – None

Absent – None

Items To Be Introduced By Councillors

None

Closed Consent Agenda

Closed Correspondence

None

Closed Reports

None

Closed Discussion Agenda

Matters Excluded From Closed Consent Agenda

None

Closed Correspondence Requiring Action

None

Closed Reports/Motions Requiring Action

None

Recess

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

The meeting recessed at 3:38 p.m. and reconvened at 6:30 p.m. in the Council Chamber with electronic participation for the purpose of holding a Public Meeting to receive input regarding the draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport and of the draft Proposed 2021-2022 Oshawa Executive Airport Action Plan with the following in attendance: Councillors Chapman, Gray, Hurst, Kerr, Marimpietri, McConkey and Mayor Carter. Also in attendance were F. Bianchet, Council-Committee Coordinator; J. Lane, Council-Committee Coordinator; the Commissioner, Development Services Department; the Director, Planning Services; the Manager, Policy; the Manager, Oshawa Municipal Airport; L. Moebs, Principal Planner and C. Leherbauer, Planner B.

Public Meeting

The Chair outlined the purpose and format of the public meeting.

Additional Agenda Items

Moved by Councillor McConkey,
“That Correspondence DS-21-110 from Gordon Webber and Correspondence DS-21-111 from Kristine Nash submitting comments concerning Report DS-21-93 regarding the draft proposed 2021-2022 Oshawa Executive Airport Action Plan be added to the agenda for the Public Meeting of May 10, 2021.” Carried

Declarations of Pecuniary Interest

Councillor Chapman made a declaration of interest concerning Report DS-21-92 regarding the draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport as he is a member in good standing of the Ontario Regiment Museum located at the South Field of the Oshawa Executive Airport and did not take part in discussion or voting on the matter.

Draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport: DS-21-92

Presentations

Moved by Councillor McConkey,
“That the presentation from Connor Leherbauer, Planner B concerning an overview of the draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport not be heard.” Carried

Delegations

Jeremy Blowers, Executive Director, The Ontario Regiment RCAC Museum addressed the Development Services Committee concerning Report DS-21-93 regarding the draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport stating that he is in full support of the report and believes that the heritage district will become a show piece in the area.

The Committee questioned Jeremy Blowers.

Correspondence

None

Reports

DS-21-92 Statutory Public Meeting under the Ontario Heritage Act Regarding the Draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport

Moved by Mayor Carter,
“That pursuant to Memorandum DS-21-92 dated May 5, 2021, the Draft Heritage Conservation District Plan for the South Field of the Oshawa Executive Airport be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried on the following vote

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

Negative – None

Declaration of Interest – Councillor Chapman

Absent – None

Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan: DS-21-93

Presentation

Tom Goodeve, Director, Planning Services and Stephen Wilcox, Manager, Oshawa Municipal Airport presented an overview of the draft proposed 2021-2022 Oshawa Executive Airport Action Plan.

The Committee questioned the Director, Planning Services and Manager, Oshawa Municipal Airport.

Delegations

Amber Syed addressed the Development Services Committee concerning Report DS-21-93 regarding the draft proposed 2021-2022 Oshawa Executive Airport Action Plan stating concerns relating to airport noise and flight traffic.

The Committee questioned Amber Syed.

Ivan Battye addressed the Development Services Committee concerning Report DS-21-93 regarding the draft proposed 2021-2022 Oshawa Executive Airport Action Plan stating concerns with the action plan process and report.

The Committee questioned Ivan Battye.

Dr. Colin Carrie addressed the Development Services Committee concerning Report DS-21-93 regarding the draft proposed 2021-2022 Oshawa Executive Airport Action Plan stating that he is pleased that the City of Oshawa is moving forward with the process to establish new noise abatement procedures.

The Committee questioned Dr. Colin Carrie.

Patrick Robert addressed the Development Services Committee concerning Report DS-21-93 regarding the draft proposed 2021-2022 Oshawa Executive Airport Action Plan stating that he is the new CEO, Enterprise Aviation Group and provided recommendations for consideration and expressed support for Action 3 'Market the Airport as an Executive Airport.'

The Committee questioned Patrick Robert.

Renée Trépanier addressed the Development Services Committee concerning Report DS-21-93 regarding the draft proposed 2021-2022 Oshawa Executive Airport Action Plan stating concerns relating to airport noise, flight traffic, quality of life, climate change and health.

The Committee questioned Renée Trépanier.

Correspondence

- DS-21-96 Stephen Simpson Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan
- DS-21-97 Delilah Labignan Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan
- DS-21-98 Deborah (Samantha) Bacchus Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan
- DS-21-99 Anne LeBlanc Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan
- DS-21-108 Ivan Battye Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan
- DS-21-109 Shaun Gillespie, Leslie Foster and Alexandra Gillespie Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan

DS-21-110 Gordon Webber Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan

DS-21-111 Kristine Nash Submitting Comments concerning Report DS-21-93 regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan

Moved by Mayor Carter,
“That Correspondence DS-21-96, DS-21-97, DS-21-98, DS-21-99, DS-21-108, DS-21-109, DS-21-110 and DS-21-111 from various residents concerning the draft proposed 2021-2022 Oshawa Executive Airport Action Plan be referred to staff for consideration in the future recommendation report on the matter.” Carried on the following vote

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

Negative – None

Absent – None

Reports

DS-21-93 Public Meeting Regarding the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan

Moved by Mayor Carter,
“That pursuant to Memorandum DS-21-93 dated May 5, 2021, the Draft Proposed 2021-2022 Oshawa Executive Airport Action Plan be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried on the following vote

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

Negative – None

Absent – None

Adjournment

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

The meeting adjourned at 9:48 p.m.