



Planning Act Public Meeting Report

To: Economic and Development Services Committee

From: Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services

Report Number: ED-23-52

Date of Report: March 1, 2023

Date of Meeting: March 6, 2023

Subject: Application to Amend Zoning By-law 60-94, Central Clear View
Developments Inc., 39 Athol Street West

Ward: Ward 4

File: Z-2023-01

1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting on the application submitted by Independent Project Managers (the “Applicant”) on behalf of Central Clear View Developments Inc. (the “Owner”) to amend Zoning By-law 60-94 to permit a 12-storey, 140 unit apartment building located on lands municipally known as 39 Athol Street West (the “Subject Site”).

The Owner intends to register the proposed development as a condominium. If the subject application to amend Zoning By-law 60-94 is approved, the Owner will be required to submit an application for approval of a draft plan of condominium at the appropriate time.

Attachment 1 is a map showing the location of the Subject Site and the existing zoning in the area.

Attachment 2 is a copy of the proposed site plan submitted by the Applicant.

A notice advertising the public meeting was mailed to all assessed property owners within 120 metres (400 ft.) of the Subject Site and to all required public bodies. In addition, a notice was published in the Oshawa This Week newspaper and a sign giving notice of the application has been posted on the site. The notice was also posted on the City’s website and communicated through its Corporate Twitter and Facebook social media accounts.

The notice regarding the public meeting provided an advisory that the meeting is open to the public and will take place in person in the Council Chamber at Oshawa City Hall. Members of the public wishing to address the Economic and Development Services Committee through electronic means rather than appear in-person to make a delegation

were invited to register their intent to participate electronically by 12:00 p.m. on March 3, 2023.

2.0 Recommendation

That, pursuant to Report ED-23-52 dated March 1, 2023, concerning the application submitted by Independent Project Managers on behalf of Central Clear View Developments Inc. to amend Zoning By-law 60-94 (File Z-2023-01) to permit the development of a 12-storey, 140 unit apartment building at 39 Athol Street West, staff be directed to further review and prepare a report and recommendation back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

3.0 Executive Summary

Not applicable.

4.0 Input from Other Sources

4.1 Other Departments and Agencies

The subject application has been circulated for comment and the identification of issues to a number of departments and agencies. These comments and issues will be considered and reported on, as appropriate, in a subsequent staff report which will provide a recommendation on the application.

5.0 Analysis

5.1 Background

The Subject Site is generally located at the southeast corner of Centre Street South and Athol Street West, and is municipally known as 39 Athol Street West (see Attachment 1).

The following is background information concerning the subject application:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area Boundary	No change
Zoning By-law 60-94	CBD-B (Central Business District)	An appropriate CBD-B Zone to permit the proposed development with site specific conditions to permit certain performance standards such as, but not necessarily limited to, increased residential density, increased building height and reduced residential parking

Item	Existing	Requested/Proposed
Use	Vacant	12 storey apartment building containing 140 apartment units

The following land uses are adjacent to the Subject Site:

North: Athol Street West, beyond which is the Michael Starr office building

South: Place of worship (St. George’s Anglican Church)

East: Vacant one-storey commercial building (former Tim Hortons restaurant)

West: Centre Street South, beyond which is Oshawa City Hall

The following are the proposed development details for the Subject Site:

Site Statistics Item	Measurement
Lot Frontage	Athol Street West - 67.46m (221.33 ft.) Centre Street South - 35.39m (116.11 ft.)
Lot Area	0.23 ha (0.57 ac.)
Number of Proposed Residential Units	140 units: - 1 studio unit - 80 one-bedroom units - 54 two-bedroom units - 5 three-bedroom units
Maximum Net Residential Density Permitted	550 units per hectare (223 u/ac.)
Proposed Net Residential Density	608.69 u/ha (246.46 u/ac.)
Permitted Maximum Building Height	12m (39.37 ft.)
Proposed Maximum Building Height	42m (137.80 ft.) (12 storeys)
Parking Spaces Required	140 spaces (1.00 per unit)
Parking Spaces Provided	99 spaces (0.71 spaces per unit)
Number of Bicycle Parking Stalls Proposed	114

5.2 Oshawa Official Plan

The Subject Site is designated Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area Boundary in the Oshawa Official Plan (O.O.P.).

The Subject Site is located within the Downtown Oshawa Urban Growth Centre as identified in the Provincial Growth Plan. Under the Growth Plan, the Downtown Oshawa Urban Growth Centre is a primary focus area for intensification within the City, to be developed for a mix of uses in order to achieve a minimum density target of 200 persons and jobs per combined hectare.

To assist in achieving the densities outlined for the Downtown Oshawa Urban Growth Centre, the built form of new development and redevelopment shall generally be a mix of predominately high-rise development as well as some mid-rise buildings, with compact, intensive low-rise buildings constituting the smallest proportion of development and mainly limited to peripheral locations. Buildings at corner locations should generally be higher than buildings in mid-block locations.

The O.O.P. specifies, in part, that the Downtown Oshawa Urban Growth Centre shall be planned and developed as a primary concentration of retail, major office, service, cultural, recreational, entertainment and institutional uses, supporting active transportation and higher order transit services in the Downtown Main Central Area and in the City. In addition, subject to appropriate provisions in the zoning by-law, medium and high density residential and mixed-use developments shall be permitted in the area designated as Downtown Oshawa Urban Growth Centre.

The O.O.P. contains policies which establish various density types and provide general locational criteria for such densities. The residential density type related to the proposed development is greater than the High Density II Residential density type. Nevertheless, the locational criteria for High Density II Residential development will be reviewed to assist in the analysis of the proposal.

Table 2, Residential Density Classification, in the O.O.P. is a guideline that indicates that uses in the High Density II Residential category, which generally permits 150 to 550 units per hectare (60 to 223 u/ac.) within the Downtown Oshawa Urban Growth Centre, are subject to the following general locational criteria:

- (a) Generally located within or at the periphery of the Downtown Oshawa Urban Growth Centre, or in proximity to arterial roads within the Main Central Area, Sub-Central Area and Community Central Areas or Regional Corridors.
- (b) Generally located in such a manner that the scale, form and impacts of this type of housing are generally compatible with adjacent land uses.

The proposed residential apartment building at 39 Athol Street West would have a net residential density of approximately 608.69 units per hectare (246.46 u/ac.) which is greater than the High Density II Residential classification.

It should be noted that in order to provide for flexibility in the interpretation of the text and schedules of the O.O.P., all numbers and quantities (with the exception of floor space indices) shall be considered to be approximate. Policy 10.1.2(a) specifies that minor changes to such numbers and quantities will be permitted without the need for an Official Plan amendment, provided that such changes do not affect the intent of the O.O.P. This policy would apply in the consideration of minor deviations from the density ranges outlined in Table 2 of the O.O.P., which serves as a guideline for reviewing matters related to the density of development.

Centre Street South is a Type 'B' Arterial Road on Schedule "B", Road Network, of the O.O.P., and a Regional Transit Spine on Schedule "B-1", Transit Priority Network, of the O.O.P. Athol Street West is a local road.

The policies and provisions of the O.O.P. will be considered during the further processing of the subject application.

5.3 Zoning By-law 60-94

The Subject Site is currently zoned CBD-B (Central Business District) which permits a variety of residential and commercial uses including, but not limited to, an apartment building, flat, hotel, office, personal service establishment, restaurant, retail store and retirement home.

Apartment buildings are permitted in the CBD-B Zone subject to compliance with regulations on such matters as maximum density, maximum height, minimum building setbacks and parking. The maximum building height permitted in the CBD-B Zone is 12 metres (39.37 ft.) and the maximum permitted density is 550 units per hectare (223 u/ac.). In this particular case, the proposed development does not comply with the regulations.

The Applicant has submitted an application to amend Zoning By-law 60-94 to rezone the Subject Site from a generic CBD-B (Central Business District) Zone to a CBD-B Zone subject to a special condition to permit the proposed 12-storey residential apartment building with 140 apartment units. In order to implement the proposed building/site design, special regulations are proposed such as increased residential density and building height, and reduced required parking.

The subject application will be reviewed against the provisions of Zoning By-law 60-94 during the further processing of the application.

5.4 Site Design/Land Use Considerations

The Applicant proposes to develop a 12-storey, 140 unit condominium apartment building (see Attachment 2).

The proposed building includes parking on two aboveground levels incorporated into the base of the building, and one level of underground parking, with driveway access from Athol Street West.

The proposed building also includes the following features:

- A rooftop garden/amenity area and an outdoor amenity area at grade;
- Private balconies along the north and south elevations for each apartment unit; and,
- Indoor communal amenity spaces.

In support of the proposed development the Applicant has submitted, on behalf of the Owner, a variety of plans and documents including a site plan, floor plans, elevation plans, shadow impact plans, planning justification report, landscape plans, arborist report, grading plan, servicing plan, functional servicing and stormwater management report, heritage impact assessment, archaeological assessment, environmental site assessment, transportation impact study and parking assessment.

Detailed design matters will be reviewed during the further processing of the application to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies. This Department will conclude its position on the site design after it has received and assessed comments from the circulated departments, agencies and the public.

Some of the specific matters this Department will be reviewing during the further processing of the subject application include:

- (a) The appropriateness of the proposed building height and residential density at this location;
- (b) The appropriateness of the proposed zoning regulations including the proposed parking rate;
- (c) Site/building design matters including driveway access, parking, refuse storage and collection, loading, building architecture, fire access and landscaping;
- (d) Servicing and stormwater management matters;
- (e) Transportation considerations;
- (f) The impacts of proposed building shadows;
- (g) Noise attenuation;
- (h) The environmental condition of the Subject Site given historical land uses in the area;
- (i) Heritage matters;
- (j) Urban design matters given the Subject Site's proximity to Oshawa City Hall; and,
- (k) Crime Prevention Through Environmental Design matters.

6.0 Financial Implications

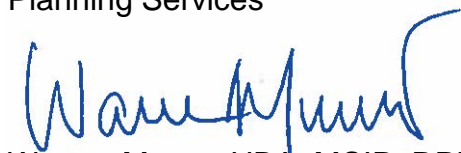
There are no financial implications associated with the recommendation in this Report.

7.0 Relationship to the Oshawa Strategic Plan

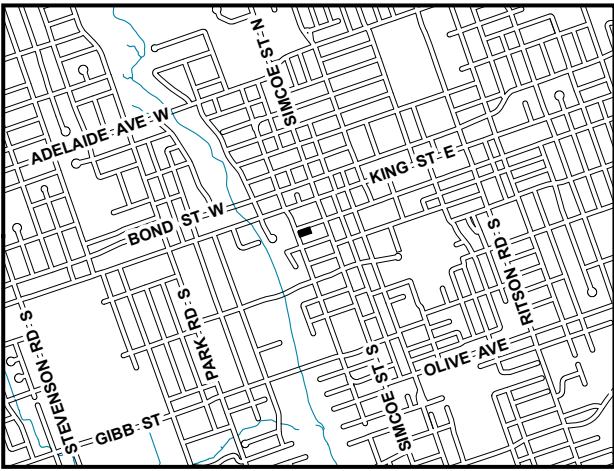
Holding a public meeting on development applications advances the Accountable Leadership goal of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.PI, MCIP, RPP, Director,
Planning Services



Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services



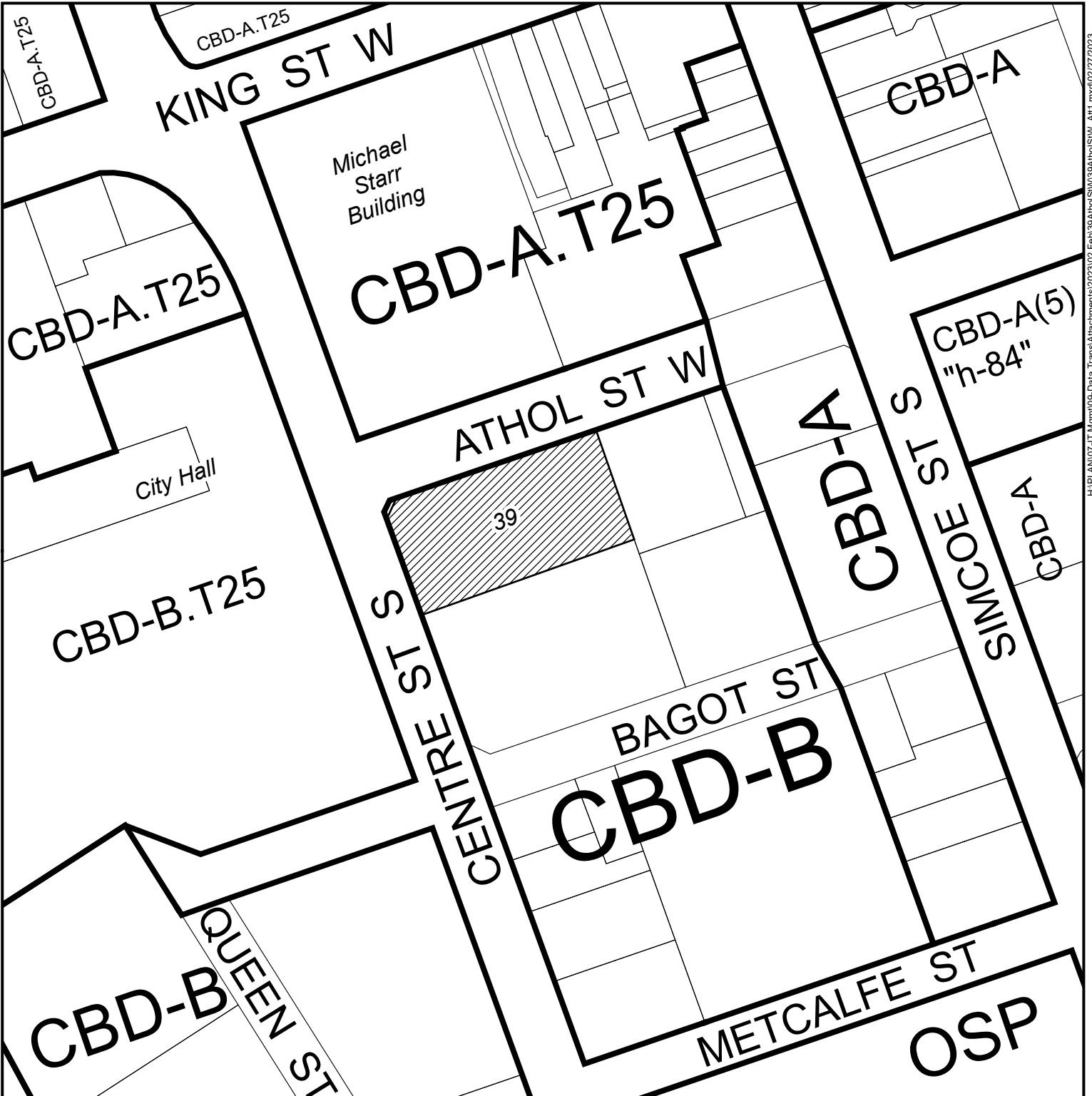
**Item: ED-23-52
Attachment 1**

Economic and Development Services

Subject: Application to Amend Zoning By-law 60-94
Address: 39 Athol Street West
Ward: Ward 4
File: Z-2023-01



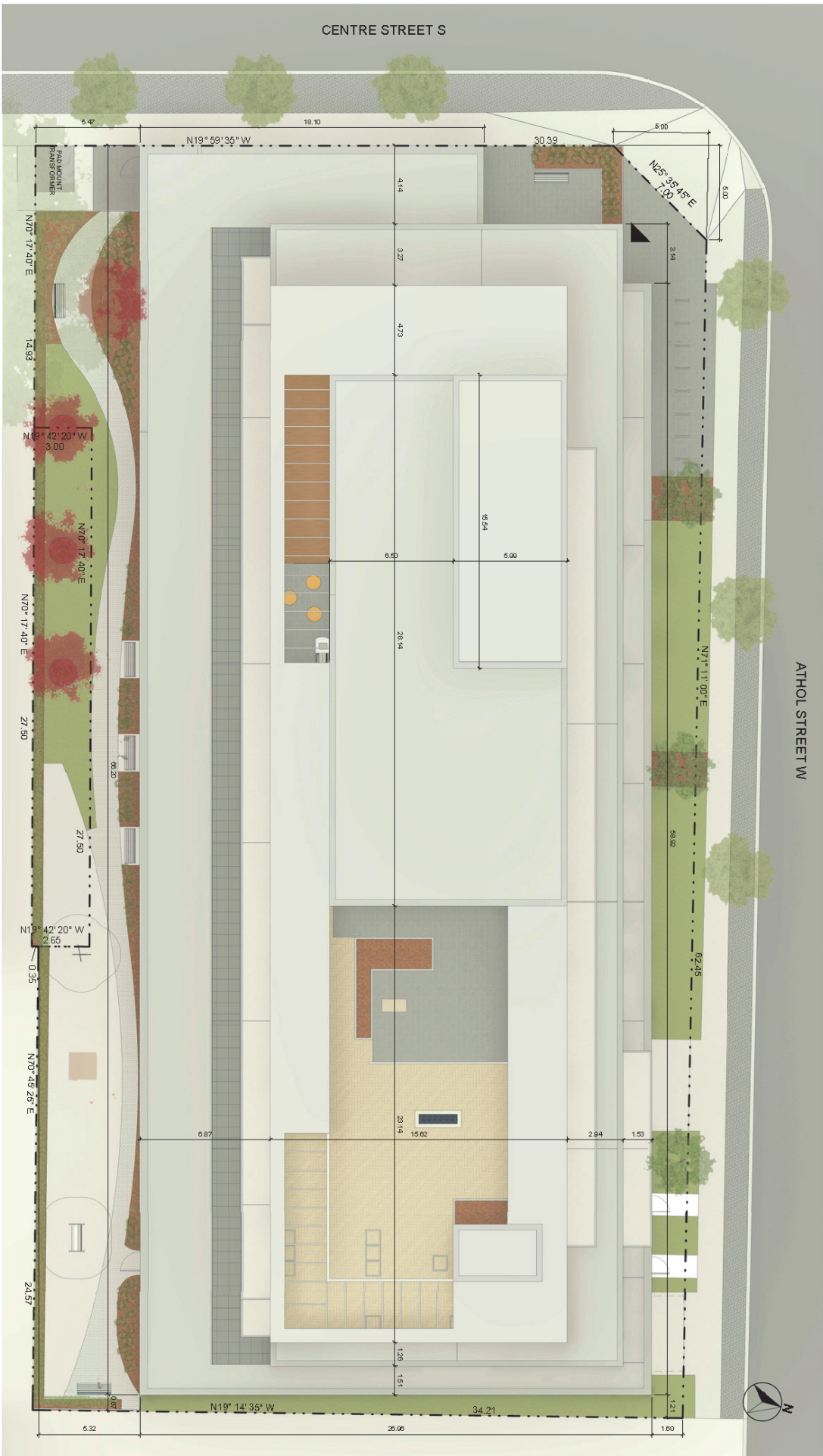
Subject Site



**Item: ED-23-52
Attachment 2**

Title: Proposed Site Plan Submitted by the Applicant
Subject: Application to Amend Zoning By-law 60-94
Address: 39 Athol Street West
Ward: Ward 4
File: Z-2023-01

City of Oshawa
Economic and Development Services



1 Site
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