



## Planning Act Public Meeting Report

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To: Economic and Development Services Committee

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

Report Number: ED-23-119

Date of Report: May 31, 2023

Date of Meeting: June 5, 2023

Subject: Revised Applications to Amend the Oshawa Official Plan and  
Zoning By-law 60-94, Smart Density on behalf of TT7 Inc.,  
70 King Street East

Ward: Ward 4

File: OPA-2022-01, Z-2022-01

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### 1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting on the revised applications submitted by Smart Density (the “Applicant”) on behalf of TT7 Inc. (the “Owner”) to amend the Oshawa Official Plan (the “O.O.P.”) and Zoning By-law 60-94 to permit a new 21-storey mixed-use building containing 198 rental apartment units and 261.5 square metres (2,814.9 sq. ft.) of commercial floor space on the first two floors, on lands municipally known as 70 King Street East (the “Subject Site”). The existing 6-storey mixed-use commercial/residential building (former Genosha Hotel) will be retained.

The Owner also proposes to fund the construction of two additional floors on the existing 7-level City-owned parking garage (“Parkade 3”) located directly east of the Subject Site, at the northeast corner of King Street East and Mary Street North, to provide dedicated off-site parking consisting of approximately 194 spaces for both the proposed new mixed-use building and the existing mixed-use building (former Genosha Hotel).

Attachment 1 is a map showing the location of the Subject Site, Parkade 3 and the existing zoning in the area.

Attachment 2 is a copy of the original proposed site plan submitted by the Applicant that was considered at the previous public meeting held on April 11, 2022.

Attachment 3 is a copy of the original proposed east building elevation submitted by the Applicant that was considered at the previous public meeting held on April 11, 2022.

Attachment 4 is a copy of the revised proposed site plan submitted by the Applicant.

Attachment 5 is a copy of the revised proposed south and east building elevation plans submitted by the Applicant and showing a proposed pedestrian bridge located on the seventh floor to connect with Parkade 3.

Attachment 6 is a list of uses permitted in the CBD-A (Central Business District) Zone.

A notice advertising the subject public meeting was mailed to all assessed property owners within 120 metres (400 ft.) of the Subject Site and Parkade 3 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 applications has been posted on the Subject 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 subject 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 June 2, 2023.

A public meeting was previously held on April 11, 2022 concerning the subject applications. At the conclusion of the meeting, the Development Services Committee adopted a recommendation to refer the subject applications back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the April 11, 2022 public meeting form Attachment 7 to this Report.

Subsequent to the April 11, 2022 public meeting, the Applicant revised the subject development proposal. The key differences between the proposal considered at the April 11, 2022 public meeting (see Attachments 2 and 3) and the revised proposal (see Attachments 4 and 5) are as follows:

- The number of apartment units in the proposed mixed-use building has increased from 114 to 198. Combined with the 86 apartment units in the existing residential/commercial building, the total number of apartment units proposed on the Subject Site has increased from 200 to 284. Further, the unit mix in the proposed new mixed-use building has changed as follows:
  - The number of bachelor apartment units has been reduced from 4 to zero (0);
  - The number of one-bedroom apartment units has increased from 84 to 125;
  - The number of two-bedroom apartment units has increased from 8 to 71;
  - The number of three-bedroom apartment units has been reduced from 16 to 2; and,
  - The number of 4-bedroom apartment units has been reduced from 2 to zero (0).
- The total combined residential density has increased from 972 units per hectare (393 u/ac.) to 1,379.3 units per hectare (556.9 u/ac.).

- As a result of the introduction of 84 additional apartment units (198 units instead of 114 units), the on-site parking deficiency has increased from 114 spaces to 198 spaces.
- The number of indoor bicycle stalls has increased from 16 to 100.
- The proposed aerial pedestrian connection to Parkade 3 has been relocated from the fifth floor to the seventh floor of the proposed new mixed-use building.
- The height of the proposed new mixed-use building has been reduced from 71.5 metres (234.5 ft.) to 67.1 metres (220.1 ft.). The height of the proposed new building remains at 21 storeys.
- The Owner has introduced 261.5 square metres (2,814.9 sq. ft.) of space on the ground floor and second floor for commercial uses.
- The Owner has redesigned the ground floor of the proposed new mixed-use building to allow a waste collection vehicle or a delivery vehicle to be able to turn around completely within the building whereas previously, under the original proposal, a truck driver would have to either reverse into the site/building or reverse out of the site/building onto Mary Street North.
- The Owner has increased the footprint of the proposed new building. The revised building design extends further west than the original proposal, and as a result, is wider on an east-west axis. The original proposal featured a new building having a maximum footprint of 634.6 square metres (6,831.0 sq. ft.), whereas the revised proposal features a new building having a maximum footprint of 820.0 square metres (8,826.7 sq. ft.).
- The arrangement of indoor and outdoor amenity areas has been revised. However, both the original proposal and revised proposal include indoor amenity rooms, a rooftop patio and balconies for each apartment unit.
- The exterior architectural design of the building has changed (see Attachments 3 and 5). The Owner has changed architectural consultants.

The magnitude of the increase in maximum residential density being requested through the applications to amend the Oshawa Official Plan and Zoning By-law 60-94 has necessitated a new Planning Act public meeting.

## **2.0 Recommendation**

That, pursuant to Report ED-23-119 dated May 31, 2023, concerning the applications submitted by Smart Density on behalf of TT7 Inc. to amend the Oshawa Official Plan (File: OPA-2022-01) and Zoning By-law 60-94 (File: Z-2022-01) to permit the development of a 21-storey mixed-use building containing 198 rental apartment units and 261.5 square metres (2,814.9 sq. ft.) of commercial floor space on the first two floors at 70 King Street East, 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 revised applications have 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 revised applications.

### **5.0 Analysis**

#### **5.1 Background**

The Subject Site is generally located at the northwest corner of King Street East and Mary Street North and is municipally known as 70 King Street East (see Attachment 1). The Subject Site has frontage on King Street East and Mary Street North.

The Subject Site is currently occupied by a 6-storey mixed-use building (the former Genosha Hotel) and is designated as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (the "Ontario Heritage Act"). The existing 6 storey mixed-use commercial/residential building will be retained.

In association with the proposed rezoning of the Subject Site, the Owner proposes to fund the construction of two additional floors on Parkade 3 of the Oshawa Municipal Parking System to provide dedicated off-site parking for the proposed new mixed-use building. Parkade 3 occupies both the northeast corner of King Street East and Mary Street North and the southeast corner of Bond Street East and Mary Street North (see Attachment 1). Parkade 3 has frontage on each of King Street East, Bond Street East and Mary Street North, and is situated directly east of the Subject Site. The Owner previously expressed an interest to construct additional floors at Parkade 3 via a letter submitted to the City Clerk dated September 13, 2020. On October 26, 2020, City Council passed the following motion (CORP-20-30):

- “1. That pursuant to the letter dated September 13, 2020 from Summers and Co. Developments Inc., City staff be authorized to hire a structural engineer to undertake a structural assessment Mary Street Parking Garage;
2. That all associated costs related to the structural assessment of the Mary Street Parking Garage shall be paid for by Summers & Co. Developments Inc. or TT7 Inc.; and,
3. That the Commissioner of Corporate Services be authorized to execute an agreement with Summers & Co. Developments Inc. or TT7 Inc. to complete a structural assessment of the Mary Street Parking Garage consistent with the

terms and conditions as generally set out in the aforementioned recommendations and in a form and content satisfactory to the Commissioner of Corporate Services and the City Solicitor.”

Items 1 to 3 above have been completed, including the completion of a Feasibility Study prepared by WSP, dated May 26, 2021. The findings of the Feasibility Study concluded that subject to certain limitations, it is feasible to expand the structure by adding two (2) parking levels.

The following table provides background information concerning the subject revised applications as they relate to both the Subject Site and Parkade 3:

**Subject Site: 70 King Street East**

<b>Item</b>	<b>Existing</b>	<b>Requested/Proposed</b>
<b>Oshawa Official Plan Designation</b>	Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area which permit a maximum residential density of 550 u/ha (223 u/ac.)	Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area subject to a site specific policy to permit a maximum residential density of 1,379.3 u/ha (556.9 u/ac.)
<b>Zoning By-law 60-94</b>	CBD-A.T25 (Central Business District) Zone	An appropriate CBD (Central Business District) Zone to implement the proposed development with site specific conditions to permit certain performance standards such as increased residential density and building height, reduced building setbacks to street lines above 12m (39.4 ft.) in height, and zero required on-site parking spaces.
<b>Use</b>	6 storey mixed-use commercial/residential building containing 1,084 sq. m. (11,668 sq. ft.) of vacant commercial floor area and 86 apartment units, with a parking lot, loading area and waste storage area on the northern portion of the property	Retain the existing 6 storey mixed-use commercial/residential building and construct a new 21-storey mixed-use building containing 198 rental apartment units and 261.5 sq. m (2,814.9 sq. ft.) of commercial floor space to the north of the existing 6 storey mixed-use commercial/residential building.

**Parkade 3 (1 Mary Street North)**

Item	Existing	Requested/Proposed
<b>Oshawa Official Plan Designation</b>	Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area	No change
<b>Zoning By-law 60-94</b>	CBD-A.T25 (Central Business District) Zone	No change. A parking garage (both public and private) is permitted.
<b>Use</b>	City-owned parking structure containing 654 parking spaces for paid parking	<p>The addition of two (2) parking levels at Parkade 3 in order to provide a site in proximity to 70 King Street East where 167 of the approximately 194 new parking spaces are proposed to be allocated. The remaining parking spaces may be allocated to the existing mixed-use building or for short-term visitors.</p> <p>City staff note that the future of Parkade 3 will need to be assessed in view of the subject revised proposal. It is important to note that at its meeting of May 1, 2023, City Council considered Closed Correspondence ED-23-93 concerning a request to purchase Parkade 3 and passed a motion to decline the request. Consequently, on a go forward basis, potential options to address the Owner's proposal for off-site parking to be provided in lieu of on-site parking include, but may not be limited to, the following:</p> <ol style="list-style-type: none"> <li>1) Maintain status quo, refuse the Owner's request to fund the construction of two (2) additional levels of parking at Parkade 3, including the use of any component of the Oshawa Municipal Parking System (this would effectively preclude the Owner's ability to provide off-site parking other than through an arrangement with a private third party, which would also require zoning approval by the City for the Subject Site to have no parking on-site).</li> <li>2) Lease the equivalent number of additional parking spaces in the</li> </ol>

Item	Existing	Requested/Proposed
		<p>existing Parkade 3 or other City owned parking facility to the Owner rather than authorize the construction of the two new levels.</p> <p>3) The City accepts the Owner's offer to fund the construction of two (2) additional levels on Parkade 3 on behalf of the City. The Owner and City would enter into an agreement outlining terms of the funding and construction, and the City would undertake the hiring of consultants to design and construct the additional parking levels. The Owner would then acquire air rights above the Mary Street road allowance for the aerial pedestrian connection and enter into a long term lease to be determined through a separate report with the City which would allocate the appropriate number of parking spaces on the new parking levels for the residents at the new mixed-use building.</p>

The following land uses are adjacent to the Subject Site:

- **North** A Bell office and utility building
- **South** King Street West, beyond which are 1- and 2-storey commercial buildings containing a hotel, restaurants and offices
- **East** Mary Street North, beyond which is a municipal parking garage (Parkade 3)
- **West** A Bell office and utility building beyond which is the Victoria Street Plaza and Regent Theatre operated by Ontario Tech University

The following land uses are adjacent to Parkade 3:

- **North** Bond Street East, beyond which are 12-storey and 20-storey mixed-use buildings
- **South** King Street East, beyond which is a commercial plaza
- **East** Offices and a restaurant
- **West** Mary Street North, beyond which is the Subject Site and a Bell office and utility building

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

<b>Site Statistics Item</b>	<b>Measurement</b>
Lot Frontage	King Street East – 41.4m (135.8 ft.) Mary Street North – 55.1m (180.7 ft.)
Lot Area	0.21 ha (0.51 ac.)
Number of Existing Apartment Units in Existing Mixed-Use Building (former Genosha Hotel)	86 units: <ul style="list-style-type: none"> <li>▪ 61 bachelor units</li> <li>▪ 24 one-bedroom units</li> <li>▪ 1 two-bedroom unit</li> </ul>
Number of Proposed Apartment Units in Proposed new Mixed Use Building	198 units: <ul style="list-style-type: none"> <li>▪ 125 one-bedroom units</li> <li>▪ 71 two-bedroom units</li> <li>▪ 2 three bedroom units</li> </ul>
Combined Number of Proposed Apartment Units	284 units
Proposed Combined Residential Density	1,379.3 units per hectare (556.9 u/ac.)
Permitted Maximum Building Height	25m (82 ft.)
Proposed Maximum Building Height	67.1m (220.1 ft.) (21 storeys)
Parking Spaces Required for Existing Mixed-Use Building (former Genosha Hotel)	Residential – 0 Commercial – 0  [The Committee of Adjustment granted a minor variance (File: A-2017-75) to permit the existing 86 apartment units in the existing building with zero (0) required parking spaces. Zoning By-law 60-94 does not require any parking at this location for non-residential uses.]
Parking Spaces Required for Proposed Mixed-Use Building	Residential – 198 (1.0 per apartment unit) Commercial – 0
Number of Currently Leased Off-Site Parking Spaces in Parkade 3 for Existing 86 Apartments	45
On-Site Parking Spaces Proposed	0
Off-Site Parking Spaces Proposed	Residential - 167 (0.84 per apartment unit): <ul style="list-style-type: none"> <li>▪ Approximately an additional 194 new spaces on two additional parking levels to account for 167 spaces for the proposed development and 27 spaces for residents of the existing building on the Subject Site (former Genosha hotel building)</li> </ul>



<b>Site Statistics Item</b>	<b>Measurement</b>
Number of Bicycle Parking Stalls Proposed	100 indoor spaces and three outdoor bicycle racks

The following provides key details and site characteristics for Parkade 3:

<b>Item</b>	<b>Measurement</b>
Existing Height	6 storeys (7 parking levels including roof level)
Available Public Paid Parking Spaces	654
Peak Utilization Capacity (source: Final IBI Group Report for the City of Oshawa Parking Study, dated January 22, 2021; calculations completed 2018)	Weekday (11:30 a.m. to 1:30 p.m.) – 33% Special Events (8:00 p.m. to 9:00 p.m.) – 49%
Current Monthly Permit Cost	\$87.00
Average Annual Parking Revenue for Parkade 3 Note: The 2020 and 2021 values are significantly lower, owing, in part, to the parking payment holiday instituted in response to the COVID-19 pandemic.	2016: \$435,459 2017: \$512,479 2018: \$536,835 2019: \$582,659 2020: \$298,987 2021: \$282,715 2022: \$359,996

## **5.2 Oshawa Official Plan**

The Subject Site and Parkade 3 are designated as Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area in the O.O.P.

The Subject Site and Parkade 3 are 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 combined per 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 predominantly 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 the 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 have been used to analyze the proposal.

Table 2 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.) are to be located as follows:

- (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 198 apartment units in addition to retention of the existing mixed-use commercial/residential building which has 86 apartment units would result in the Subject Site having a residential density of 1,379.3 units per hectare (556.9 u/ac.) which is greater than the High Density II Residential classification. The proposed density is not permitted under the Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area designation. Therefore, an amendment to the O.O.P is required.

King Street East is designated as a Type 'B' Arterial Road on Schedule "B", Road Network, of the O.O.P. and as a Regional Transit Spine on Schedule "B-1", Transit Priority Network, of the O.O.P.

Mary Street North is designated as a Type 'C' Arterial Road on Schedule "B", Road Network, of the O.O.P.

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

### **5.3 Zoning By-law 60-94**

The Subject Site is currently zoned CBD-A.T25 (Central Business District) which permits a variety of residential and commercial uses, including, but not limited to, a mixed-use building containing apartments and commercial uses. The uses proposed by the Owner are permitted in the CBD-A.T25 Zone but do not comply with certain regulations dealing with matters such as, but not limited to, maximum residential density, maximum building height, minimum on-site parking spaces, and minimum building setbacks to street lines above 12 metres (39.4 ft.) in height.

The current zoning would permit a new mixed-use building with a maximum height of 25 metres (82 ft.) (generally 8 storeys) with no limit on commercial uses and up to 27 apartment units, subject to compliance with regulations such as the provision of on-site parking. The introduction of twenty-seven (27) apartment units in addition to the 86 units already located on the Subject Site in the existing mixed-use building would yield a combined total of 113 units, resulting in an overall density level on this property of 549 units per hectare (222 u/ac.).

The Applicant has submitted a revised application to amend Zoning By-law 60-94 to rezone the Subject Site from a generic CBD-A.T25 Zone to a site specific CBD-A Zone subject to a special condition to permit the proposed 21-storey mixed-use building. In order to implement the proposed revised building/site design, special regulations are proposed related to maximum residential density, maximum building height, minimum on-site parking spaces and minimum building setbacks to the street line above 12 metres (39.4 ft.) in height.

Zoning By-law 60-94 requires all parking for any given land use to be provided on the same lot as the land use. A minimum of 198 parking spaces are required for the subject proposed revised development. The Applicant has advised that due to technical constraints on the Subject Site, it is not possible to construct underground, aboveground or surface parking on-site for the proposed development. Consequently, no on-site parking is proposed by the Owner for the subject development.

The Owner was previously granted a minor variance (File: A-2017-75) to permit zero parking spaces for the 86 apartment units in the existing building. Notwithstanding the minor variance approval, owing to market demands, the Owner currently rents 45 parking spaces at Parkade 3 for the existing apartments.

Legal Services staff have confirmed that the minor variance approval granted under File A-2017-75 would not extend to the proposed new mixed-use building. Rather, the regular parking rate under Zoning By-law 60-94 would apply.

In association with the proposed rezoning of the Subject Site, the Applicant proposes to fund the construction of two additional floors on Parkade 3 of the Oshawa Municipal Parking System to provide dedicated off-site parking for the proposed mixed-use building.

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

#### **5.4 Heritage**

The existing 6-storey mixed-use commercial/residential building (former Genosha Hotel) was originally constructed in 1929. It is designated under Part IV of the Ontario Heritage Act and is proposed to be retained.

The Subject Site was designated under the Ontario Heritage Act by By-law 70-2005 passed by City Council on June 13, 2005. By-law 70-2005 contains the following listing of attributes to be protected and conserved:

- The overall massing of the 6-storey rectangle, flat-roofed building with 1- and 2-storey brick additions on the north façade
- Three distinct divisions to the building, specifically including the following:
  - Commercial Street Level section
    - Semi-circular arches at street level on north façade
    - Size and proportion of the street level display windows on the south and east facades
  - Intermediate section
    - Windows:
      - Grid-like organization of window placements (12 windows across by 5 windows down) across entire intermediate section of building
      - Window design or suitable substitution (combination of casement sashes in 4 divisions, 2 side-by-side in 6 sections, with an upper transom-like band)
      - Lintels and lugsills in contrasting materials of limestone or concrete
      - Central frontispiece of two columns of windows with doors and balconettes on 6<sup>th</sup> floor
      - Shared recessed lintels on 6<sup>th</sup> floor balcony windows
    - Unpainted variegated buff-yellow brick on south and east façade
    - Light gray stucco on north and west façades
    - 7 ornamental balconettes on south and east façade
    - Vertical ribbons of projecting brick simulating columns (some terminate in a loop while others drop until they intersect a limestone rectangle then terminate at the first floor)
  - Attic or Roof-line section
    - Dentiling at roof-line in contrasting materials on south and east façades and on 2-storey addition
    - Projecting cap at southwest corner of remnants of same at southeast corner.

The Owner went through an approval process between 2015 and 2018 to redevelop the existing Genosha Hotel building into a mixed-use building with 86 apartment units and 1,084 square metres (11,668 sq. ft.) of commercial floor space. This process included consultation with Heritage Oshawa and approval by City Council for certain modifications to the building including elements identified in By-law 70-2005, including, but not limited to, the replacement of the limestone “mantel”, the replacement of severely damaged limestone and granite at the structural columns, and installation of a canopy above the ground floor.

In support of the previously proposed 21-storey apartment building, the Owner provided a Heritage Impact Assessment prepared by a+LiNK Architecture Inc. An Addendum to the Heritage Impact Assessment has been prepared by the Applicant and provided with the submission of the revised applications. The Addendum re-examines the subject proposal with the updated 2020 Provincial Policy Statement policies regarding heritage and with consideration of the revised design.

It is appropriate that Council consider the subject development proposal as an alteration under Section 33 of the Ontario Heritage Act. Section 33 requires that the alteration be reviewed by the City’s Municipal Heritage Committee, Heritage Oshawa, and that the alteration be consented to by City Council. The revised Planning Act applications along with the Heritage Impact Assessment Addendum were circulated to Heritage Oshawa for their review and comment.

Heritage Oshawa considered the revised proposal at their meeting of May 25, 2023 and passed the following motion:

“That, pursuant to HTG-23-36 dated May 19, 2023, the Section 33 application to alter, consistent with the application to amend the Oshawa Official Plan and Zoning By-law 60-94 for 70 King Street East, be recommended for denial under Section 33 of the Ontario Heritage Act.”

## **5.5 Site Design/Land Use Considerations**

The Owner proposes to develop a new 21-storey, 198-unit mixed-use building on the Subject Site partially overhanging the existing building (see Attachments 4 and 5). The existing 6-storey mixed-use commercial/residential building (former Genosha Hotel), which is designated under the Ontario Heritage Act, will be retained. The Applicant proposes to construct the new mixed-use building on the northern portion of the property which is currently used as an outdoor parking lot, loading area and waste storage area.

The Owner’s plans identify a potential pedestrian bridge that would span Mary Street North between the proposed mixed-use building and Parkade 3 to provide direct pedestrian access between the two buildings, if parking for the proposed mixed-use building were to be provided in Parkade 3.

In support of the proposed site design/development, the Applicant has submitted a variety of plans and documents including a site plan, floor plans, building elevations, a lighting plan, a planning justification report, a functional servicing and stormwater management report, a heritage impact assessment and addendum, a geotechnical investigation, a noise

study, vehicle/truck maneuvering plans, a traffic and parking study, and an environmental site assessment.

The Applicant submitted an updated noise impact study (“Noise Study”) prepared by Thornton Tomasetti, a professional stationary and transportation noise engineering consultant. The Noise Study assessed the impact of road noise and the neighbouring Bell building on the proposed new residential units. The Noise Study concluded that the proposed new residential/commercial development could comply with Publication NPC-300 (Environmental Noise Guidelines – Stationary and Transportation Sources) (the “Guideline”) prepared by the Ministry of the Environment, Conservation and Parks (“M.E.C.P.”) under the following circumstances:

- The Subject Site would have to be designated as a Class 4 area under the Guideline by the City of Oshawa. The Guideline only allows a noise study to assume that exterior residential windows are closed when measuring noise from a stationary noise source if the site is designated as a Class 4 area. If a site is not designated as Class 4, it is assumed to be a Class 1 or 2 site and windows must be assumed to be open; and,
- Mitigation measures would have to be implemented on the Bell building to mitigate noise from rooftop mechanical equipment. This would require coordination between the Applicant and Bell. There is no obligation on Bell to agree to any mitigation measures on their building.

As per the Noise Study, Thornton Tomasetti will be required to prepare an addendum to the noise impact study once the Applicant and Bell have concluded their discussions and made the necessary arrangements, including selecting the project’s mechanical equipment. Once the noise impact study and subsequent addendum have been submitted to the City, staff will arrange to have the material peer reviewed by a qualified third party noise consultant at the Owner’s sole cost. If the Owner is successful in making the appropriate arrangements with Bell to mitigate the effects of stationary noise on the proposed residential units, staff would report back to the Economic and Development Services Committee and Council on the arrangements made between the Applicant and Bell, the findings of the updated noise study and a request from the Owner to designate the Subject Site as a Class 4 area (only applicable to the new mixed-use building, not the existing mixed-use building with 86 apartment units). If the Owner is unable to make the necessary arrangements with Bell, the Owner will need to consider building design changes.

This noise mitigation challenge exists whether the Owner is proposing an 8-storey residential building (currently permitted by the Zoning By-law) or the proposed 21-storey building.

Detailed design matters will be reviewed during the further processing of the subject revised applications to ensure compliance with the City’s Landscaping Design Policies, engineering standards and other policies, and the M.E.C.P. Guideline.

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

- (a) The appropriateness of the proposed building height and residential density at this location;
- (b) The appropriateness of the proposed zoning regulations;
- (c) The appropriateness of the proposed addition of parking levels at Parkade 3 to provide dedicated parking for the proposed apartment building;
- (d) Site/building design matters including loading, building architecture, building setbacks, waste collection, and landscaping;
- (e) The appropriateness of the potential enclosed pedestrian bridge between Parkade 3 and the proposed mixed-use building over Mary Street North and the necessary arrangements required to address its construction, maintenance and liability, including the granting of air rights above the Mary Street road allowance;
- (f) The impacts of proposed building shadows;
- (g) Noise attenuation;
- (h) Servicing and stormwater management matters;
- (i) Heritage matters;
- (j) The interface between vehicular and pedestrian traffic entering and exiting the proposed building with Mary Street North, which also contains a bike lane;
- (k) The environmental condition of the Subject Site; and,
- (l) Crime Prevention Through Environmental Design issues.

## **6.0 Financial Implications**

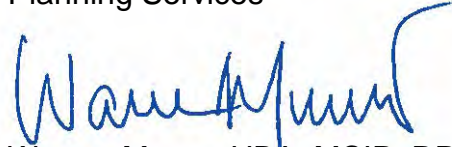
There are no financial implications associated with the recommendation in this Report.

## 7.0 Relationship to the Oshawa Strategic Plan

Holding a public meeting on development applications that have been significantly revised advances the Accountable Leadership goal of the Oshawa Strategic Plan.



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



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