



Planning Act Public Meeting Report

To: Economic and Development Services Committee

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

Report Number: ED-23-159

Date of Report: September 6, 2023

Date of Meeting: September 11, 2023

Subject: Applications to Amend the Oshawa Official Plan and Zoning
By-law 60-94 and for approval of a Draft Plan of Subdivision,
144 and 155 First Avenue, First Avenue Investments (Oshawa)
Inc.

Ward: Ward 5

File: OPA-2023-02, Z-2023-05, S-O-2023-02

1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting on the applications submitted by Fotenn Consultants Inc. (the "Applicant") on behalf of First Avenue Investments (Oshawa) Inc. (the "Owner") to amend the Oshawa Official Plan (the "O.O.P.") (File: OPA-2023-02) and Zoning By-law 60-94, as amended, (File: Z-2023-05) and for approval of a draft plan of subdivision (File: S-O-2023-02) to permit eight (8) development blocks featuring multiple towers ranging in height from 14 to 42 storeys, 5,435 residential units, approximately 5,873 square metres (63,216.45 sq. ft.) of ground related commercial floor space, a 0.52 hectare (1.28 ac.) public park, two (2) road widening blocks and private roads located at 144 and 155 First Avenue (the "Subject Site").

The Owner intends to register the proposed development blocks as condominiums. In the event the subject applications to amend the O.O.P. and Zoning By-law 60-94, as amended, and for approval of a draft plan of subdivision are approved, the Owner will be required to submit applications for approval of draft plans 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 draft plan of subdivision S-O-2023-02 submitted by the Applicant.

Attachment 3 is a copy of the proposed site plan at roof level submitted by the Applicant.

Attachment 4 is a list of the uses permitted in the GI and GI(1) (General Industrial) Zones.

Attachment 5 is a list of the uses proposed in the site-specific PCC-C (Planned Commercial Centre) Zone requested 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 signs giving notice of the applications have 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 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 September 8, 2023.

On November 4, 2022, the Applicant and Owner hosted an open house at the Royal Canadian Legion Branch 43 (471 Simcoe Street South) to present the development proposal for the Subject Site to the community and receive public feedback. The Applicant advertised the open house with signs on the Subject Site, and this Department facilitated the distribution of notices to property owners for that open house at the Applicant's cost. City staff also attended the open house to observe the proceedings.

2.0 Recommendation

That, pursuant to Report ED-23-159 dated September 6, 2023, concerning the applications submitted by Fotenn Consultants Inc. on behalf of First Avenue Investments (Oshawa) Inc. to amend the Oshawa Official Plan (File: OPA-2023-02) and Zoning By-law 60-94 (File: Z-2023-05) and for approval of a draft plan of subdivision (File: S-O-2023-02) to permit eight (8) development blocks featuring multiple towers ranging in height from 14 to 42 storeys, 5,435 residential units, approximately 5,873 square metres (63,216.45 sq. ft.) of ground related commercial floor space, a 0.52 hectare (1.28 ac.) public park, two (2) road widening blocks and private roads located at 144 and 155 First Avenue, staff be directed to further review and prepare a subsequent 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 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 applications.

5.0 Analysis

5.1 Background

The Subject Site is generally located on the north and south sides of First Avenue, between Howard Street and Front Street, and is municipally known as 144 and 155 First Avenue, respectively (see Attachment 1).

The lands on the south side of First Avenue, municipally known as 155 First Avenue, are the site of a former industrial facility owned by PPG Canada Inc. Previous applications to amend the O.O.P. and Zoning By-law 60-94, as amended, to permit a flea market and professional offices at 155 First Avenue were approved by Oshawa City Council in 2014 but no development involving these uses ever proceeded. The property has since been sold to the current Owner and the former industrial buildings have recently been demolished, leaving the site vacant.

The lands on the north side of First Avenue, municipally known as 144 First Avenue, have historically been used as a parking lot for the uses at 155 First Avenue.

The lands immediately north of 144 First Avenue, municipally known as 500 Howard Street, are owned by Metrolinx and intended to be used for the future Central Oshawa GO Train Station.

The following is background information concerning the subject applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Industrial – Regeneration Area within the Downtown Oshawa Main Central Area and the Central Oshawa Transportation Hub, subject to a site specific policy that also permits a flea market at 155 First Avenue	Planned Commercial Centre within the Downtown Oshawa Main Central Area and the Central Oshawa Transportation Hub, subject to a site specific policy to permit the proposed residential density
Zoning By-law 60-94	144 First Avenue: GI (General Industrial)	Appropriate OSP (Park Open Space) and PCC (Planned Commercial Centre) Zones to implement the proposed development with site

Item	Existing	Requested/Proposed
	<p>155 First Avenue: GI(1) "h-51" (General Industrial)</p>	<p>specific conditions to permit certain performance standards relating to matters such as, but not necessarily limited to, a scoped list of permitted commercial uses, minimum first floor height for non-residential uses, minimum street frontage for buildings, minimum building setbacks, minimum separation distance between portions of buildings ten (10) storeys or higher, minimum width of a private street, maximum floor plate area for any portion of a building greater than ten (10) storeys in height, increased residential density, increased balcony projections, increased building height, reduced required parking and location of parking, including permission for a below grade parking structure to be located under a portion of the proposed park.</p>
<p>Use</p>	<p>144 First Avenue: Surface paved parking lot</p> <p>155 First Avenue: Vacant (former industrial use)</p>	<p>144 First Avenue:</p> <p>Block 1: a mixed use building with 3 storey, 9 storey and 30 storey sections, containing 429 apartment units [277 one bedroom ("1B") units and 152 two bedroom ("2B") units] and 1,860 sq. m. (20,021.53 sq. ft.) of ground floor commercial floor space.</p> <p>Block 2: a mixed use building with 3 storey, 9 storey and 26 storey sections, containing 367 apartment units [230 1B units and 137 2B units] and 1,677 sq. m. (18,051.67 sq. ft.) of ground floor commercial floor space.</p> <p>155 First Avenue:</p> <p>Block 3: a mixed use building with 3 storey, 4 storey, two 9 storey, 22 storey and 32 storey sections, containing 761 apartment units [424 1B units, 320 2B units and 17 three bedroom ("3B") units] and 1,246 sq. m. (13,412.27 sq. ft.) of ground floor commercial floor space.</p> <p>Block 4: a mixed use building with 3 storey, 4 storey, two 9 storey, 14 storey and 26 storey sections, containing 529 apartment units [299 1B units, 206 2B units and 24 3B units]</p>

Item	Existing	Requested/Proposed
		and 1,090 sq. m. (11,733.05 sq. ft.) of ground floor commercial floor space. Block 5: an apartment building with 3 storey, 4 storey, two 9 storey, 29 storey and 34 storey sections, containing 874 apartment units [596 1B units, 241 2B units and 37 3B units]. Block 6: an apartment building with two 2 storey, 3 storey, 9 storey, 18 storey and 28 storey sections, containing 669 apartment units [402 1B units, 236 2B units and 31 3B units]. Block 7: an apartment building with 4 storey, 5 storey, 9 storey, 34 storey and 42 storey sections, containing 983 apartment units [667 1B units, 274 2B units and 42 3B units]. Block 8: an apartment building with 3 storey, 4 storey, two 9 storey, 23 storey and 37 storey sections, containing 823 apartment units [559 1B units, 235 2B units and 29 3B units]. Block 9: 0.52 hectare (1.28 ac.) public park.

The following land uses are adjacent to the Subject Site:

- **North** Future Central Oshawa GO Train Station at the former Knob Hill Farms site, currently containing a GO parking lot and the vacant former Knob Hill Farms building
- **South** Former Jackson Avenue road allowance (now closed) owned in part by the City with the remainder owned by the Ministry of Transportation, beyond which is Highway 401
- **East** Howard Street, beyond which are single detached dwellings and converted dwellings fronting on the east side of Howard Street, and Howard Park occupying the south side of First Avenue between Howard Street and Drew Street
- **West** Michael Starr Trail, beyond which are Front Street and single detached dwellings and converted dwellings fronting onto the west side of Front Street

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

Site Statistics Item	Measurement
Lot Frontage on First Avenue	144 First Avenue: 234.60m (769.69 ft.) 155 First Avenue: 238.50m (782.48 ft.)

Site Statistics Item	Measurement
Gross Area of Draft Plan (inclusive of road widenings and public park)	7.03 ha (17.37 ac.)
Net Area of Draft Plan (exclusive of road widenings and public park)	6.24 ha (15.42 ac.)
Net Residential Density of Proposed Apartment Dwellings	Block 1: 759.29 u/ha (307.43 u/ac.) Block 2: 705.36 u/ha (285.48 u/ac.) Block 3: 849.24 u/ha (343.75 u/ac.) Block 4: 675.87 u/ha (273.55 u/ac.) Block 5: 893.30 u/ha (361.56 u/ac.) Block 6: 726.86 u/ha (294.17 u/ac.) Block 7: 1185.91 u/ha (479.96 u/ac.) Block 8: 1103.96 u/ha (446.63 u/ac.) Combined: 871 u/ha (352.46 u/ac.)
Number of Proposed Apartment Units	Block 1: 429 (277 1B, 152 2B) Block 2: 367 (230 1B, 137 2B) Block 3: 761 (424 1B, 320 2B, 17 3B) Block 4: 529 (299 1B, 206 2B, 24 3B) Block 5: 874 (596 1B, 241 2B, 37 3B) Block 6: 669 (402 1B, 236 2B, 31 3B) Block 7: 983 (667 1B, 274 2B, 42 3B) Block 8: 823 (559 1B, 235 2B, 29 3B) Total: 5,435 (3,454 1B, 1,801 2B, 180 3B)
Total Ground Floor Commercial Floor space	Block 1: 1,860 sq. m. (20,020.87 sq. ft.) Block 2: 1,677 sq. m. (18,051.08 sq. ft.) Block 3: 1,246 sq. m. (13,411.83 sq. ft.) Block 4: 1,090 sq. m. (11,732.66 sq. ft.) Block 5: 0 Block 6: 0 Block 7: 0 Block 8: 0 Total: 5,873 sq. m. (63,216.45 sq. ft.)
Area of Proposed Public Park (Block 9)	0.52 ha (1.28 ac.)
Parking Spaces Required	Residential (Condominium): 7,881 spaces for residents plus 1,631 spaces for visitors (1.45 spaces per unit for residents and 0.3 spaces per unit for visitors) Commercial: 245 spaces (1 space for every 24 sq. m. of gross floor area) Total Parking Required: 9,757 spaces

Site Statistics Item	Measurement
Parking Spaces Provided	Residents: 3,655 spaces (0.67 spaces per unit) Visitor plus Commercial: 916 spaces (0.17 spaces per unit) Total Parking Provided: 4,571 spaces
Bicycle Parking Provided	4,255 spaces

5.2 Oshawa Official Plan

The Subject Site is designated as Industrial within the Downtown Main Central Area in the O.O.P. Further, it is located within the portion of the Downtown Main Central Area identified in the O.O.P. as the Central Oshawa Transportation Hub. The O.O.P. also identifies the Subject Site as a Regeneration Area. That portion of the Subject Site municipally known as 155 First Avenue (south side of First Avenue) is also subject to Site Specific Policy 2.4.5.18 in the O.O.P.

Areas designated as Industrial shall generally be used for manufacturing, warehousing and storage, assembly, processing including reclaiming and recycling, research and development facilities, corporate offices, utility functions and transportation terminals. Industrially oriented sales, service and office operations such as truck and machinery operations, equipment repair, merchandise service shops and building or contracting yards, community and recreational uses such as facilities for day care and recreation that are municipally owned and operated, and vehicle fuel stations may also be permitted in appropriate locations. In addition, certain commercial, community and recreational uses such as banks, offices other than corporate or industrially oriented offices, restaurants, banquet facilities, personal service and retail uses, fraternal organizations and athletic clubs may be permitted provided that such uses are compatible with industrial uses in the area.

That portion of the Subject Site municipally known as 155 First Avenue (south side of First Avenue) is subject to Site Specific Policy 2.4.5.18 which reads as follows:

“2.4.5.18 Notwithstanding any policy of this Plan to the contrary, a flea market shall be a permitted use at 155 First Avenue subject to any relevant policies of this Plan and the inclusion of appropriate provisions in the Zoning By-law.”

For the purposes of the O.O.P., a Regeneration Area means an area identified as an area in transition, with lands and/or buildings that are underutilized, derelict, vacant, in need of revitalization or which would be more appropriately and efficiently used for non-industrial land uses.

Lands identified as Regeneration Areas and having an underlying Industrial designation shall remain subject to the policies of the O.O.P. for areas designated as Industrial pending further planning studies by the City, the Region or proponent of development to determine appropriate land use alternatives.

Policy 2.4.2.5 of the O.O.P. states that areas designated as Industrial, including lands within Regeneration Areas, shall only be redesignated to another designation or used for a purpose that does not conform to the types of uses intended for areas designated as Industrial pursuant to the following:

- (a) A planning study involving a municipal comprehensive review pursuant to the provisions of the Growth Plan for the Greater Golden Horseshoe, where the lands are not identified as a Regeneration Area on Schedule “A”, Land Use, of the O.O.P. or,
- (b) A planning study involving a comprehensive review pursuant to the provisions of the Provincial Policy Statement, where the lands are within a Regeneration Area identified on Schedule “A”, Land Use, of the O.O.P.

Policy 9.1.3 of the O.O.P. states that a comprehensive review pursuant to the provisions of the Provincial Policy Statement may be undertaken by a proponent of development as the basis of a planning study where the lands are within a Regeneration Area.

The Applicant has requested that the Subject Site be redesignated from Industrial within a Regeneration Area to Planned Commercial Centre to permit the proposed residential/commercial mixed-use development.

The O.O.P. contains policies which establish various residential density types and provide general locational criteria for such densities. The proposed development would have a net residential density of approximately 871 units per hectare (352.46 u/ac.) which is greater than the High Density II Residential density type identified in the O.O.P. Nevertheless, the locational criteria for High Density II Residential development will be reviewed to assist in the analysis of 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 300 units per hectare (60 to 120 u/ac.) in locations other than within the Downtown Oshawa Urban Growth Centre, are to be located as follows:

- (i) Generally located within or at the periphery of the Downtown Oshawa Urban Growth Centre, or in proximity to arterial roads within the Main Central Areas, Sub-Central Areas, Community Central Areas or within Intensification Areas along Regional Corridors.
- (ii) 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 Downtown Main Central Area is intended to function in a complementary capacity but generally at a smaller scale than the Downtown Oshawa Urban Growth Centre, with a reciprocal emphasis on major office, retail, business, personal and administrative services, residential, institutional, recreational, cultural and entertainment uses. Development in the Downtown Main Central Area shall be planned to support an overall long-term density target of at least 75 residential units per gross hectare (30.35 residential units/gross ac.) and a Floor Space Index of 2.5.

O.O.P. Policy 2.1.2.4 specifies that the built form of new development within the Downtown Main Central Area outside of the Downtown Oshawa Urban Growth Centre shall consist of a wide variety of high-rise and mid-rise buildings, with some low-rise buildings, and buildings at corner locations shall generally be higher than buildings in mid-block locations. O.O.P. Policy 2.1.2.5 specifies that the minimum building height shall be three functional storeys.

As noted above, the Subject Site is also located within the Central Oshawa Transportation Hub identified on Schedule 'B-1', Transit Priority Network of the O.O.P. The Central Oshawa Transportation Hub is an area of influence surrounding the planned future Central Oshawa GO Station where different modes of transportation, including walking, cycling, and riding transit, are planned to come together seamlessly and where there will be an intensive concentration of working, living, shopping and/or playing. O.O.P. Policy 2.1.7.1 specifies that development in Transportation Hubs shall consist of a mix of land uses at higher densities, in a compact, intensive urban form, to facilitate the provision and use of transit, where the existing or planned commuter station is served by heavy rail.

O.O.P. Policy 3.3.3 specifies that development adjacent to a commuter station, including within a Transportation Hub, shall provide a broad mix of uses whose nature lends themselves to more intensive, compact development at higher densities, which are complementary in terms of scale, design and context to the support of transit services, and which are compatible with surrounding, stable, established development.

Policy 2.1.8.2 of the O.O.P. states, in part:

"2.1.8.2 One or more land use and urban design studies shall be undertaken by the City, in consultation with Metrolinx, the Region of Durham and other appropriate agencies, to prepare Master Land Use and Urban Design Plans and implementing guidelines for Transportation Hubs and areas adjacent to Commuter Stations in the City. The Master Land Use and Urban Design Plans will guide comprehensive *development* within Transportation Hubs and areas adjacent to Commuter Stations to ensure a high quality, coordinated urban *environment* where buildings, spaces and connections are designed with pedestrian priority. Master Land Use and Urban Design Plans shall be undertaken for the following areas:

- (a) The Central Oshawa Transportation Hub – the highly-connected, centralized location of this mobility hub within the Downtown Main Central Area, adjacent to the Downtown Oshawa Urban Growth Centre, provides a unique opportunity to create a vibrant district that serves as the origin, destination or transfer point for a significant portion of trips within the regional transportation system. Further to Policy 3.4.5 of this Plan, the Central Oshawa Transportation Hub also contains the Michael Starr Trail, a key structural corridor within the hub whose importance as a landmark element shall be emphasized through complementary design and built form. A Master Land Use and Urban Design Plan and implementing guidelines shall be prepared for this Transportation

Hub prior to substantial development or redevelopment of lands within the defined hub area shown on Schedule 'B-1';"

Policy 2.1.8.5 states:

"2.1.8.5 *Development* of lands within areas for which Master Land Use and Urban Design Plans are to be prepared may occur prior to the preparation of such studies, subject to the preparation of a comprehensive urban design study and urban design guidelines for the site with consideration to how the *development* integrates with abutting lands. The scope of the area to be included in the comprehensive urban design study shall be determined by the City."

The Applicant has prepared and submitted an urban design study for the Subject Site.

First Avenue, Drew Street and Albert Street are designated as Collector Roads on Schedule 'B', Road Network, of the O.O.P. Howard Street and Front Street are local roads. The existing sections of Etna Avenue, Second Avenue, Third Avenue and Lviv Boulevard are also local roads.

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

5.3 Zoning By-law 60-94

The portion of the Subject Site municipally known as 144 First Avenue is zoned GI (General Industrial) and the portion of the Subject Site municipally known as 155 First Avenue is zoned GI(1) "h-51" (General Industrial) in Zoning By-law 60-94, as amended (see Attachment 1).

The GI Zone permits a variety of industrial uses including, but not limited to the following:

- Automobile body shop
- Automobile repair garage
- Contracting yard
- Food preparation plant
- Manufacturing, processing or assembly industry
- Warehouse

The full list of uses permitted in the GI Zone is included in Attachment 4.

In addition to any GI Zone use, in any GI(1) Zone the following uses are also permitted:

- Flea market having a maximum total gross floor area of 9,278 square metres (99,867.56 sq. ft.); and,
- Professional office having a maximum total gross floor area of 965 square metres (19,387.20 sq. ft.).

The “h-51” holding symbol is in place on the GI(1) zoned portion of the Subject Site to ensure that the use of this area for a flea market does not proceed until the following conditions are satisfied:

- (a) Site plan approval is obtained from the City for both 144 and 155 First Avenue;
- (b) Satisfactory arrangements are made with the Region of Durham, Ministry of Transportation and the City on any transportation improvements (e.g. road widening, driveway entrance design, potential traffic signals, safe pedestrian crossing and related road improvements);
- (c) Stormwater management matters are addressed to the satisfaction of the City and the Central Lake Ontario Conservation Authority; and,
- (d) The environmental condition of the site is suitable for the proposed flea market use to the satisfaction of the City and Region of Durham.

The Applicant has submitted an application to amend Zoning By-law 60-94, as amended, to rezone the Subject Site from GI and GI(1) “h-51” to appropriate OSP (Park Open Space) and PCC (Planned Commercial Centre) Zones to permit 5,435 residential units and approximately 5,873 square metres (63,216.45 sq. ft.) of ground related commercial floor space in buildings as tall as 42 storeys, and a 0.52 hectare (1.28 ac.) public park. The proposed PCC zoning would include special regulations to permit certain performance standards relating to matters such as, but not necessarily limited to, a scoped list of permitted commercial uses, minimum first floor height for non-residential uses, street frontage for buildings, building setbacks, separation distance between portions of buildings ten (10) storeys or higher, width of a private street, maximum floor plate area for any portion of a building greater than ten (10) storeys in height, increased residential density, increased balcony projections, increased building height, reduced required parking and location of parking. The proposed OSP Zone would include a special regulation to permit a below grade parking structure (associated with the proposed apartment building on Block 8) under a portion of the proposed park.

A list of the proposed uses requested by the Applicant is provided in Attachment 5.

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

5.4 Integrated Major Transit Station Area Study for Central Oshawa

The Subject Site is located immediately south of the future Central Oshawa GO Train Station that is planned for 500 Howard Street. The future Central Oshawa GO Train Station is identified as a Future Commuter Station on Schedule ‘B-1’, Transit Priority Network, in the O.O.P. As noted in Section 5.2 of this Report, Section 2.1.8 of the O.O.P. specifically addresses the City’s intent to undertake a study to prepare a Master Land Use and Urban Design Plan and implementing guidelines for the Central Oshawa Transportation Hub, which has the future Oshawa GO Train station as its focus.

In 2022, the City of Oshawa initiated the Integrated Major Transit Station Area Study for Central Oshawa (“M.T.S.A. Study”) to advance the policy direction contained in the O.O.P. for the Central Oshawa Transportation Hub.

The Study Area is generally bounded by John Street, the future Eulalie Avenue extension, and Eulalie Avenue to the north, sections of Ritson Road South to the east, Highway 401 to the south, and the Oshawa Creek flood plain to the west. The Study Area also includes certain lands east of Ritson Road South that the Region of Durham proposes to add within the Central Oshawa M.T.S.A. but which are not part of the Central Oshawa “Transportation Hub” shown on Schedule ‘B-1’, Transit Priority Network, of the O.O.P. The Subject Site is located within the M.T.S.A. Study Area.

The MTSA Study is comprised of two parts:

1. A Master Land Use and Urban Design Plan with implementation guidelines; and,
2. An Area-Specific Transportation Master Plan that satisfies Phases 1 to 4 of the Municipal Class Environmental Assessment process.

The M.T.S.A. Study is currently in Stage 2 of 4. Stage 2 is intended to identify land use alternatives and transportation solutions. The second of four (4) planned Public Information Centres (P.I.C.) was held on June 28, 2023 to present information and gather feedback on the following:

- Three land use alternatives that have been developed for the Study Area;
- The draft future transportation analysis undertaken for the Study Area;
- The draft urban design plan and implementation guidelines; and,
- The evaluation criteria for the land use alternatives.

The September 11, 2023 Economic and Development Services Committee agenda includes a separate report (ED-23-167) presenting the findings of Stage 2 of the M.T.S.A. Study and seeking authorization to advance to Stage 3.

In Stage 3, a preferred land use plan and design concepts will be selected and impacts and mitigation measures will be identified.

The subject applications will be reviewed against the M.T.S.A. Study materials during the further processing of the applications.

5.5 Subdivision and Site Design/Land Use Considerations

The proposed draft plan of subdivision submitted by the Applicant proposes eight (8) development blocks, four of which are proposed for residential/commercial mixed-use buildings (Blocks 1 to 4) with the remainder proposed for standalone apartment buildings (Blocks 5 to 8). The proposed draft plan of subdivision also features one (1) public park block and two (2) road widening blocks (see Attachment 2). The proposed private roads will form parts of Blocks 3, 4, 5 and 6.

The proposed buildings include low-rise podiums (2 to 4 storeys) that transition to mid-rise sections (9 storeys) and towers (14 to 42 storeys). The Applicant has positioned the taller towers in the centre and west sections of the Subject Site, whereas the shorter towers (9, 14, 18 and 23 storeys) are positioned on the east section of the Subject Site. The tallest buildings (Blocks 7 and 8 at 42 and 37 storeys, respectively), occupy the southwestern section of the Subject Site. The proposed site design is shown in Attachment 3.

A public park is proposed on the southeast portion of the Subject Site (Block 9) (see Attachment 3).

A 26 metre (85.3 ft.) wide north-south publicly accessible pedestrian promenade is proposed to bisect the Subject Site. The promenade would extend from an extended Lviv Boulevard in the south (i.e. the former Jackson Avenue road allowance) to the future Central Oshawa GO Station in the north (see Attachment 3).

Two levels of underground parking are proposed under the eight (8) development blocks (Blocks 1 to 8) and under a portion of the park block (Block 9). The parking structure under the park would be exclusively devoted to the development on Block 8. Parking is also proposed on the ground level and the second and third floors of each building. On the ground level, the parking is situated behind residential or commercial units facing the public and private streets and the park.

On November 28, 2022, the Provincial government passed Bill 23, the More Homes Built Faster Act, 2022 ("Bill 23"). Bill 23 introduced a new section to the Planning Act which permits a developer to identify land that is subject to an easement or is encumbered by below grade infrastructure as lands proposed to be dedicated to a municipality as parkland dedication and outlines an appeal process if the municipality does not accept the land as parkland dedication. These new sections of the Planning Act have not yet been proclaimed by the Lieutenant Governor and are not yet in effect.

Two east-west private roads are proposed through the Subject Site as extensions of Etna Avenue/Second Avenue and Third Avenue. The Applicant proposes to extend Lviv Boulevard as a public road easterly to Howard Street, to provide vehicular access to Blocks 7 and 8. A portion of the lands required to extend Lviv Boulevard are owned by the Owner (i.e. Block 11 – see Attachment 2). The remainder, consisting of the former Jackson Avenue road allowance, is owned in part by the City and in part by the Ministry of Transportation.

If the subject applications are approved, the Applicant would submit applications for Site Plan Approval for a building on each block where details such as building architecture and noise mitigation implementation would be addressed.

In support of the proposed development, the Applicant has submitted a variety of plans and documents including a draft plan of subdivision, site plans for the overall development and for individual blocks, a planning justification report, draft official plan and zoning by-law amendments, floor plans, elevation plans, renderings, a shadow study, a noise and vibration study, Phase 1 and 2 Environmental Site Assessment reports, a preliminary geotechnical investigation report, a park concept plan, a pedestrian level wind study, a preliminary hydrogeological investigation, a retail market study, an archeological

assessment, a tree inventory and preservation plan, an urban design study, a transportation impact study, grading and servicing plans, and a functional servicing and stormwater management report.

Detailed design matters will be reviewed during the further processing of the applications to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies. This Department will conclude its position on the subdivision and 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 applications include:

- (a) The appropriateness of the proposed subdivision design and site design;
- (b) The appropriateness of the proposed zoning regulations including maximum building height, density, the scoped list of commercial uses proposed, parking and distance between building components;
- (c) The appropriateness of the proposed parking rates;
- (d) Site/building design matters including the private road locations, driveway access, parking, refuse storage and collection, building architecture, landscaping, building setbacks and fire access;
- (e) The appropriateness of the proposed commercial uses and the amount of commercial floor space requested;
- (f) Transportation considerations, including any impact on the surrounding road network and the appropriateness of the alignment of the proposed private roads, the proposal for the First Avenue road widening to be entirely on the south side of First Avenue and the proposal to extend Lviv Boulevard to Howard Street as a public road;
- (g) The impacts of proposed building shadows;
- (h) Noise attenuation;
- (i) The environmental condition of the site given the former industrial use and the need for a Record of Site Condition in compliance with Ministry of the Environment, Conservation and Parks criteria;
- (j) Servicing, stormwater management and grading matters;
- (k) The appropriateness of the proposed configuration, size and location of the park block, including the interface between the park and the public and private roads and the proposed building in Block 8;
- (l) The appropriateness of the proposed private underground parking garage beneath a portion of the public park;

- (m) Investigating opportunities to include community uses such as schools and daycares;
- (n) The phasing of construction of the proposed development, including the timing of the park considering the proposed private underground parking garage underneath;
- (o) Access and connectivity to the adjacent Michael Starr Trail;
- (p) Parkland dedication and the proposed privately-owned publicly accessible spaces;
- (q) Crime Prevention Through Environmental Design matters;
- (r) Matters related to the M.T.S.A. Study; and,
- (s) Real estate matters regarding the potential for the Owner to acquire land from the City of Oshawa.

6.0 Financial Implications

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

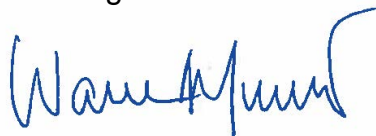
The subject applications were submitted prior to July 1, 2023 and therefore the Applicant and Owner will not be eligible for a refund under the Planning Act as amended by Bill 109 (More Homes For Everyone Act, 2022) if the City does not make a decision on the Zoning By-law Amendment application within a certain timeframe.

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.Pl., MCIP, RPP, Director,
Planning Services

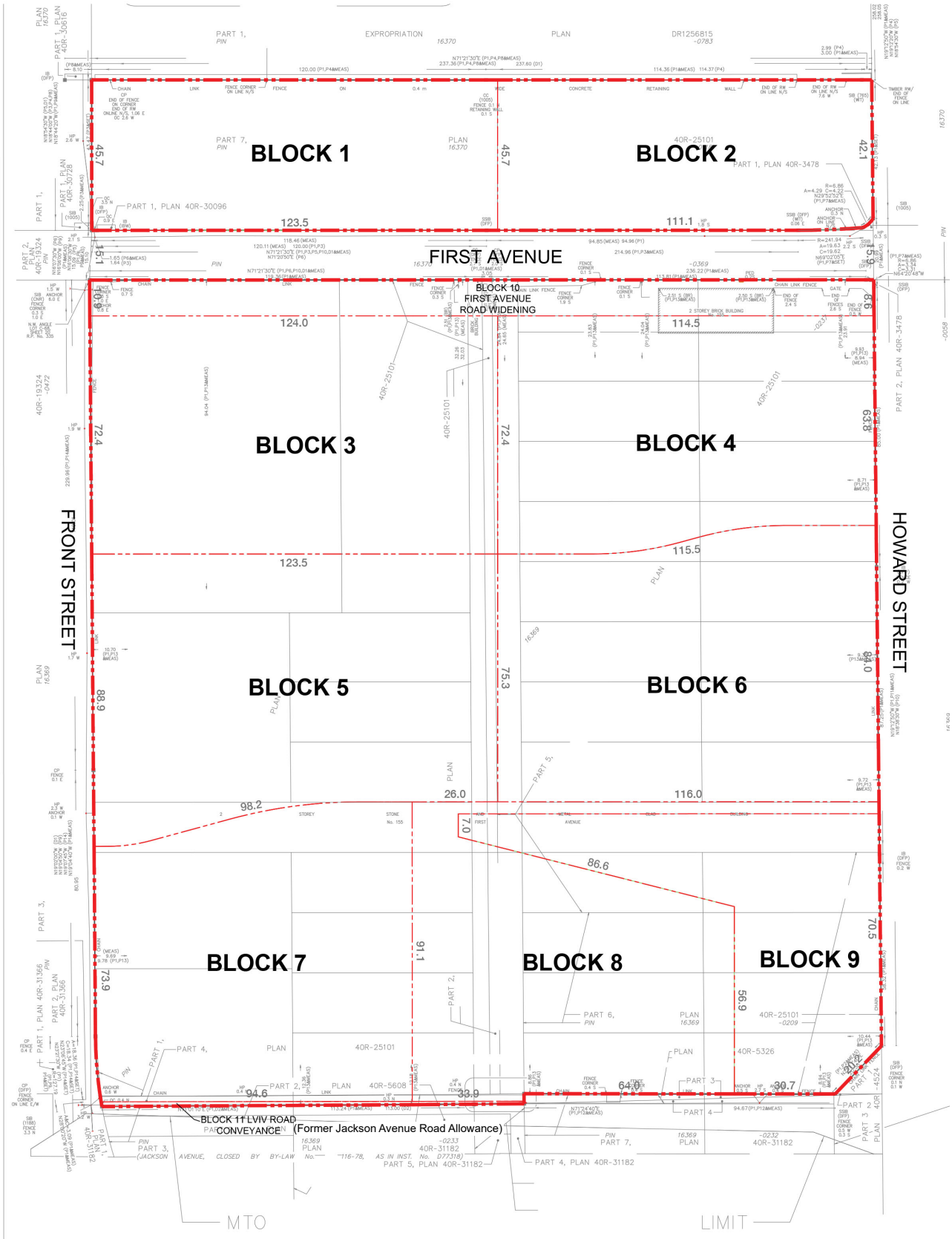


Warren Munro, HBA, MCIP, RPP, Commissioner,
Economic and Development Services Department

Title: Proposed Draft Plan of Subdivision Submitted By Applicant
Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 144 and 155 First Avenue, First Avenue Investments (Oshawa) Inc.

Ward: Ward 5

File: OPA-2023-02, Z-2023-05, S-O-2023-02




















Title: Proposed Site Plan Submitted by Applicant
 Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 144 and 155 First Avenue, First Avenue Investments (Oshawa) Inc.
 Ward: Ward 5
 File: OPA-2023-02, Z-2023-05, S-O-2023-02

City of Oshawa
 Economic and Development Services



KEY PLAN LEGEND

-  PROPOSED PRIVATELY OWNED PUBLICLY ACCESSIBLE SPACES (POPS)
-  BLOCK 1 & 2: 488 SQM EACH
-  BLOCK 3 & 4: 774 SQM EACH
-  BLOCK 5: 1184 SQM
-  BLOCK 6: 759 SQM
-  BLOCK 7 & 8: 822 SQM EACH
-  TOTAL: 6110 SQM
-  PROPOSED TOTAL PARKLAND DEDICATION 5156 SQM
-  PROPOSED NEW ROADS
-  FIRST AVE (NEW PUBLIC ROAD): 2090 SQM
-  SECOND AVE (NEW PRIVATE ROAD): 2200 SQM
-  THIRD AVE (NEW PRIVATE ROAD): 2277 SQM
-  LVIV BLDV (NEW PUBLIC ROAD): 2334 SQM EACH
-  TOTAL: 8891 SQM
-  BLOCK RESIDENTIAL PODIUM (2 TO 4 ST, VARIES)
-  BLOCK RESIDENTIAL PODIUM (4 ST TO 5 ST, VARIES)
-  BLOCK RESIDENTIAL PODIUM (9 ST TYPICAL)
-  BLOCK RESIDENTIAL TOWER (9 ST TYPICAL)

List of Permitted Uses in the GI and GI (1) (General Industrial) Zone:

The use indicated with an asterisk (*) is only permitted in the GI(1) Zone.

- (a) Any industrial use not mentioned in this subsection which is not obnoxious
- (b) Auction establishment
- (c) Automobile body shop
- (d) Automobile repair garage
- (e) Automobile towing business
- (f) Cleaning or dyeing plant
- (g) Contracting yard
- (h) Dry cleaning and laundry plant
- (i) Equipment repair or servicing shop
- (j) Flea market*
- (k) Food preparation plant
- (l) Industrially oriented office
- (m) Kennel
- (n) Manufacturing, processing or assembly industry
- (o) Metal stamping establishment
- (p) Nightclub
- (q) Outdoor storage accessory to a permitted use in a GI Zone
- (r) Parking garage or parking lot associated with a permitted use in a GI Zone
- (s) Printing establishment
- (t) Professional office
- (u) Recreational use
- (v) Recreational vehicle storage
- (w) Recycling depot
- (x) Recycling operation
- (y) Sales outlet
- (z) Service industry
- (aa) Taxi establishment
- (bb) Transport terminal including railway yard
- (cc) Underground bulk liquid storage
- (dd) Vehicle sales and service establishment
- (ee) Warehouse
- (ff) Wholesale distribution centre

List of Uses Requested by the Applicant for the Site-specific PCC-C (Planned Commercial Centre) Zone:

- (a) Adult secondary school
- (b) Animal hospital
- (c) Apartment building
- (d) Art gallery
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (g) Back-to-back townhouse
- (h) Block townhouse
- (i) Brew your own operation
- (j) Church
- (k) Cinema
- (l) Clinic
- (m) Club
- (n) Commercial parking facility
- (o) Commercial recreation establishment
- (p) Commercial school
- (q) Craft Brewery
- (r) Day care centre
- (s) Financial institution
- (t) Flat
- (u) Funeral home
- (v) Hobby shop
- (w) Home and auto supply store
- (x) Home appliance store
- (y) Home decorating store
- (z) Home furnishing store
- (aa) Hotel
- (bb) Kennel
- (cc) Long Term Care Facility
- (dd) Medical office
- (ee) Merchandise service shop
- (ff) Museum
- (gg) Nursing home
- (hh) Office
- (ii) Peddle
- (jj) Personal service establishment
- (kk) Pet grooming establishment
- (ll) Pharmacy
- (mm) Printing establishment
- (nn) Private school
- (oo) Restaurant
- (pp) Retail store
- (qq) Retirement home
- (rr) Specialty food store

(ss) Studio
(tt) Supermarket
(uu) Tavern
(vv) Theatre