

To: Economic and Development Services Committee

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

Report Number: ED-23-192

Date of Report: October 11, 2023

Date of Meeting: October 16, 2023

Subject: Proposed Focused Intensification Study along certain portions
of the Bloor Street and Simcoe Street South Corridors

Ward: Ward 5

File: 12-03-3568

1.0 Purpose

The purpose of this Report is to recommend:

- That staff be directed to undertake an in-house, focused intensification study along certain portions of the Bloor Street and Simcoe Street South corridors, as shown in Attachments 1, 2 and 3 (the “Study Area”); and,
- That City Council pass an Interim Control By-law under the Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) to prohibit development within the Study Area while the Interim Control By-law is in effect.

Attachment 1 is a map showing the boundaries of the proposed Study Area.

Attachment 2 is a map showing the existing zoning within the proposed Study Area.

Attachment 3 is an air photo of the proposed Study Area.

Attachment 4 is a copy of the Interim Control By-law proposed to be implemented for the Study Area.

2.0 Recommendation

That the Economic and Development Services Committee recommend to City Council:

1. That, pursuant to Report ED-23-192 dated October 11, 2023, Economic and Development Services staff be directed to undertake an in-house, focused intensification study along certain portions of the Bloor Street and Simcoe Street South

corridors, generally in accordance with Section 5.4 and as shown in Attachments 1 to 3 of said Report.

2. That, pursuant to Report ED-23-192 dated October 11, 2023, an appropriate Interim Control By-law be passed pursuant to Section 38 of the Planning Act, R.S.O. 1990, c. P.13 to prohibit development in the study area, as shown in Attachments 1 to 3 of said Report, in a form and content generally reflecting the proposed Interim Control By-law comprising Attachment 4 of said Report.

3.0 Executive Summary

Not applicable

4.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Chief Administrative Officer
- Commissioner, Corporate and Finance Services
- City Solicitor

5.0 Analysis

5.1 Study Area

The Study Area is graphically illustrated on Attachments 1 to 3, and can be described as follows:

- A portion of the Bloor Street corridor, generally bounded by Highway 401 to the north, the Canadian National Railway corridor to the south, Farewell Street to the east and Park Road South to the west (the “Bloor Street Corridor”); and,
- A portion of the Simcoe Street South corridor, generally bounded by Highway 401 to the north, Wentworth Street West to the south, certain commercial/institutional/residential zoned lands to the east, and the Oshawa Creek valley to the west (the “Simcoe Street South Corridor”).

The Bloor Street Corridor and the Simcoe Street South Corridor are together referred to as the Study Area.

Key details about those sections of Bloor Street and Simcoe Street South which traverse the Study Area are as follows:

- Bloor Street, which is under the Region of Durham’s jurisdiction, functions as the City’s main east-west arterial connection south of Highway 401, and is designated as a Type ‘A’ Arterial Road and a Regional Transit Spine in the Oshawa Official Plan (the “O.O.P.”). Various lands adjacent to Bloor Street are also designated as Intensification Areas, as shown in Schedule ‘A-2’, Corridors and Intensification Areas, of the O.O.P.

- Simcoe Street South, which is also under the Region of Durham's jurisdiction, functions as the City's main north-south arterial road connecting the Downtown Oshawa Urban Growth Centre to the waterfront, and is designated as a Type 'B' Arterial Road north of Bloor Street and as a Type 'C' Arterial Road south of Bloor Street. The portion of Simcoe Street South located north of Bloor Street is also designated as a Regional Transit Spine in the O.O.P.

5.2 Study Rationale

On June 26, 2023, Council considered Report CNCL-23-69 dated June 21, 2023 concerning the Canada Mortgage and Housing Corporation's Housing Accelerator Fund ("H.A.F.") and authorized staff to submit an application to receive potential funding. The City's H.A.F. application identified various initiatives to quickly increase the housing mix and supply in Oshawa. These initiatives included a study within the Downtown Oshawa Urban Growth Centre to enable higher density development (the "U.G.C. Study"), and an intensification study to support the provision of greater housing density in strategic growth areas in Oshawa (the "Oshawa Intensification Study").

The purpose of both the U.G.C. Study and the Oshawa Intensification Study is to review planning policies and make high-level policy recommendations in order to quickly increase housing supply and promote the development of complete communities in Oshawa.

Staff note that the Study Area identified in this Report would be a component of the broader Oshawa Intensification Study. However, it is appropriate to initiate a separate, more detailed analysis of the Study Area in advance of receiving any potential funding under the H.A.F. program for the following reasons:

- On May 17, 2023, the Region of Durham adopted a new Regional Official Plan (the "R.O.P.") which includes, among other matters, updated population and job growth projections, density targets and the comprehensive delineation of Regional Corridors. It is anticipated that approval of the new R.O.P. by the Ministry of Municipal Affairs and Housing is imminent.
- The Study Area does not fall within any area of the O.O.P. that is already the subject of a Part II Plan.
- The City is currently advancing the Integrated Major Transit Station Area ("M.T.S.A.") Study for Central Oshawa, which was identified by the Region of Durham through their Municipal Comprehensive Review of the R.O.P. The M.T.S.A. study area is generally bounded by John Street and Eulalie Avenue to the north, Ritson Road South to the east, Highway 401 to the south and the Oshawa Creek Valley to the west, which is in proximity to the Study Area.
- For both northbound and southbound traffic exiting Highway 401 at the Simcoe Street interchange, the Bloor Street and Simcoe Street South intersection acts as a gateway to the City.

- Existing land use permissions (i.e. zoning) and the existing parcel fabric of the Study Area do not support, and are not conducive to, an appropriate level of intensification along the Bloor Street and Simcoe Street South Corridors.
- Implementing appropriate land use permissions within the Study Area may encourage land parcel consolidation and higher density developments, where contextually appropriate.

5.3 Study Purpose

The purpose of the proposed study is to develop an intensification policy framework to guide future development in suitable locations and appropriate types of built form within the Study Area. Staff note that it will be important to advance an effective community engagement campaign to better understand the shift to a more compact built form and a more diverse range and mix of housing options needed to achieve higher rates of intensification and complete communities.

The key objectives of the proposed study are to:

- Review the existing policy framework and contextual conditions of the Study Area, as they relate to intensification;
- Review the appropriateness of currently planned land uses and zoning in the Study Area and, if appropriate, make recommendations for proposed policy amendments;
- Assess the potential for growth through residential intensification within the Study Area;
- Identify opportunities to accommodate the growth;
- Determine general principles and concepts for the development of potential intensification sites, and establish urban design guidelines and/or policies for application within the Study Area;
- Assist with community engagement to better understand the shift to a more compact build form and a more diverse range and mix of housing options needed to achieve higher rates of intensification and complete communities; and,
- Identify amendments to the O.O.P. and Zoning By-law 60-94, as amended, as appropriate.

5.4 Study Organization

The study will be completed in-house by City staff and will be advanced as follows:

I. Study Initiation

Staff will release a notice of commencement of study to the public, which will include an intensification education guide illustrating common types of built form and densities that would achieve higher rates of intensification and result in complete communities.

II. Background Research and Review

This stage includes a fulsome review of the relevant policies and existing conditions in the Study Area, specifically:

- A review of Provincial and Regional policies related to the provision of intensification opportunities in Oshawa;
- A review of the local policy context as it relates to intensification opportunities within the Study Area;
- A review of the existing parcel fabric and identification of challenges to achieving higher densities and opportunities for consolidation, where appropriate;
- A review of the demographic and socio-economic attributes/conditions within the Study Area;
- A review of current population, housing units and employment densities within the Study Area; and,
- A review of the development applications within the Study Area that are currently being processed by the City.

III. Initial Findings Summary and Public Consultation

This stage includes analyzing the information gathered as part of Stage 2 and the preparation of a high-level summary of staff's initial findings. An in-person Public Information Centre ("P.I.C.") and online public engagement would be held to share the initial findings and obtain public input. The input gathered through the P.I.C. and online public engagement would be considered in the preparation of the final report.

IV. Final Recommendations Report

This stage involves the preparation of a final recommendation report based on the information and public input gathered, which will be presented to Council for consideration. This final report would also highlight the need for any Official Plan and/or Zoning By-law Amendments, and if directed to do so, staff would proceed through the legislated Planning Act process, which would involve further public consultation opportunities.

5.5 Recommended Interim Control By-law

Staff recommend that City Council pass an Interim Control By-law under Section 38 of the Planning Act for the Study Area. An Interim Control By-law may be passed where the Council has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies. The Interim Control By-law may be in effect for a period of up to one (1) year and prohibits the use of land, buildings, or structures within the defined area of the by-law for, or except for, such purposes as may be set out in the Interim Control By-law.

Where an Interim Control By-law is passed by a municipality, a notice of the by-law passing must be issued by the Clerk of the municipality in the manner and to the persons and public bodies and containing the information prescribed in the Planning Act, within 20 days of the passing thereof.

Any person or public body who was given notice of the passing of the Interim Control By-law may, within 50 days after the date of the passing of the by-law, appeal to the Ontario Land Tribunal.

If no appeals are submitted, and prior to the expiration of the by-law, the Interim Control By-law may be extended for an additional one (1) year period if the Study and its implementation have not been completed. The extension of the Interim Control By-law would be subject to the same notice and appeal provisions as the passing of the initial Interim Control By-law noted above.

Once an Interim Control By-law ceases to be in effect, the Council of the municipality may not for a period of three (3) years pass a further Interim Control By-law that applies to any lands to which the original Interim Control By-law applied.

The use of an Interim Control By-law will provide the City with the opportunity to review the existing land use planning policies and regulations within the context of the existing parcel fabric of the Study Area, to ensure future growth and development are planned appropriately.

Staff recommend that Council pass an Interim Control By-law related to the Study Area to generally restrict all new development from proceeding on such lands as identified on Attachments 1 to 3, until such time as the proposed intensification study has been completed and recommendations can be implemented with respect to appropriate amendments to the O.O.P. and Zoning By-law 60-94 (see Attachment 4). While the Interim Control By-law is in place, only lawfully existing uses within lawfully existing buildings and structures as of the date of passing of the Interim Control By-law are permitted, save and except as follows:

- where such construction, alteration or expansion is an outcome of a site plan application or building permit application currently in process on the date of the passage of the Interim Control By-law that is fully in accordance with the approved City of Oshawa Zoning By-law 60-94, as amended;
- where such construction, alteration or expansion is an outcome of a zoning application or Stage 2 pre-consultation currently in process on the date of the passage of the Interim Control By-law; or,
- where such construction, alteration or expansion pertains to an accessory structure or building, accessory to a lawfully existing use on the date of the passage of the Interim Control By-law as long as it continues to be used for such purpose.

As of the date of this Report, the sites that would be exempt from the Interim Control By-law include:

- 245 to 255 Bloor Street West;
- 681 Dnipro Boulevard; and,
- 827 Gordon Street.

Staff will continue to process these development applications under current circumstances but will apply a lens to the sites as informed by the intensification study when circumstances warrant.

While an Interim Control By-law is in place for a maximum of one (1) year from the date of passing, staff are acutely aware of the impact of an Interim Control By-law on the development community.

Accordingly, subject to capacity and competing interests, staff intend to report on the results of the intensification study to the Economic and Development Services Committee in the 2nd Quarter of 2024.

6.0 Financial Implications

Financial implications associated with the Recommendations in this Report consist of costs to issue the notice of passing of the Interim Control By-law to all land owners and public bodies within the Study Area. These costs can be funded from the appropriate Department budget. Staff note that any expenses associated with the public consultation described in Section 5.4 of this Report can also be accommodated through the appropriate Departmental budget.

In the event that the final study report recommends further analysis and/or studies to be undertaken that would require consulting services, the associated report to Council would address the financial implications to be considered in the City Budget.

7.0 Relationship to the Oshawa Strategic Plan

The Recommendation in this Report advances the Accountable Leadership and Environmental Responsibility goals 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

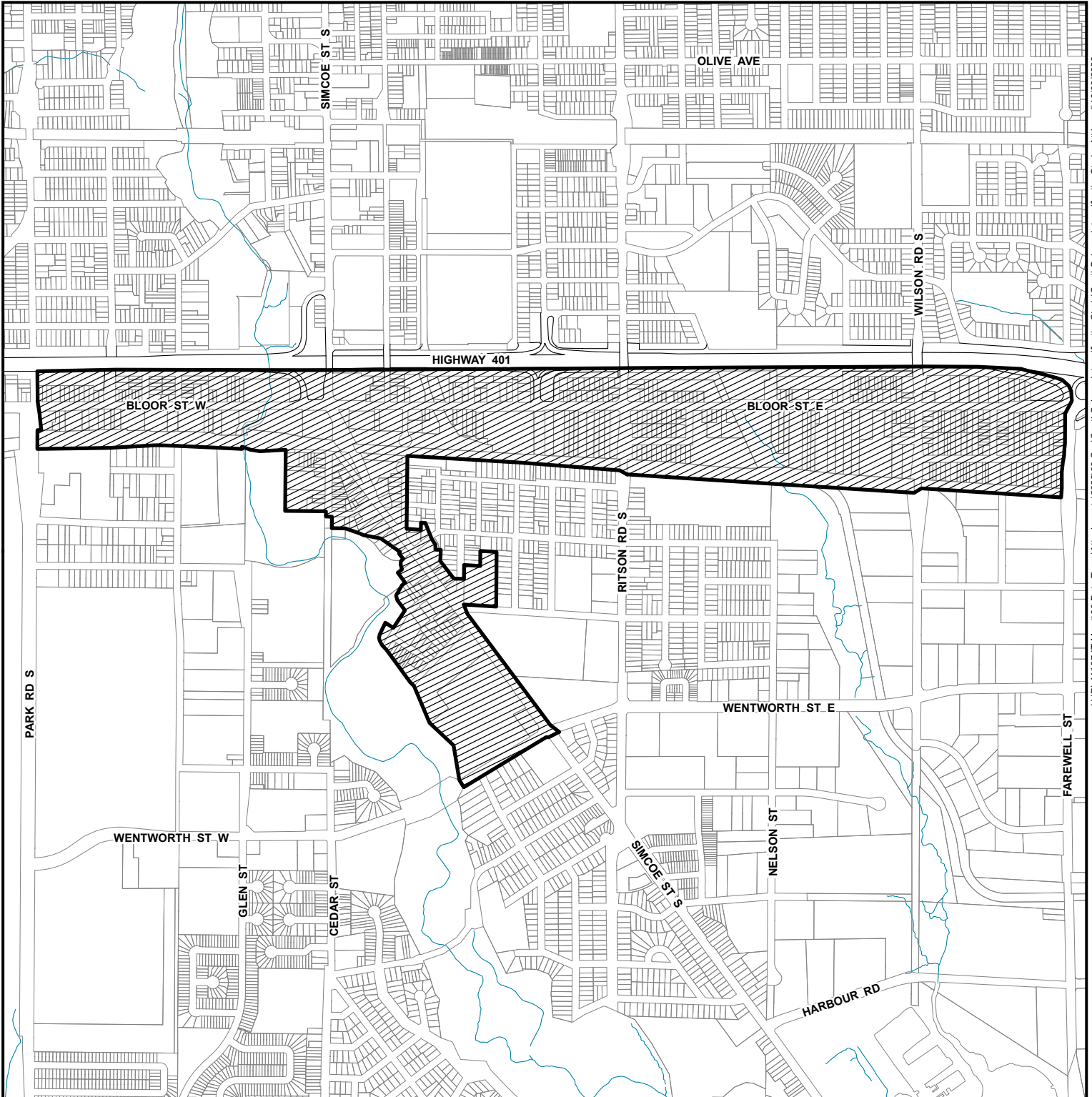
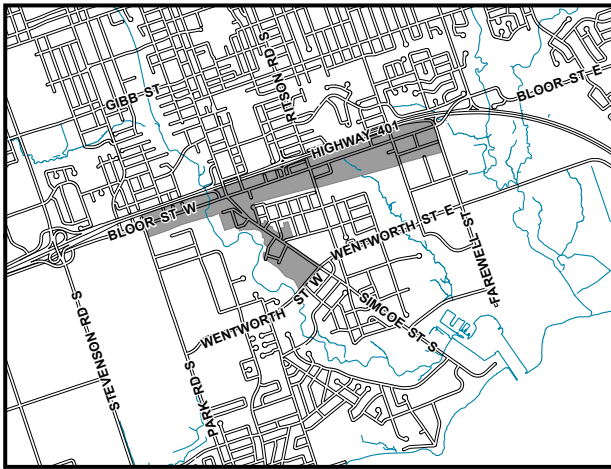
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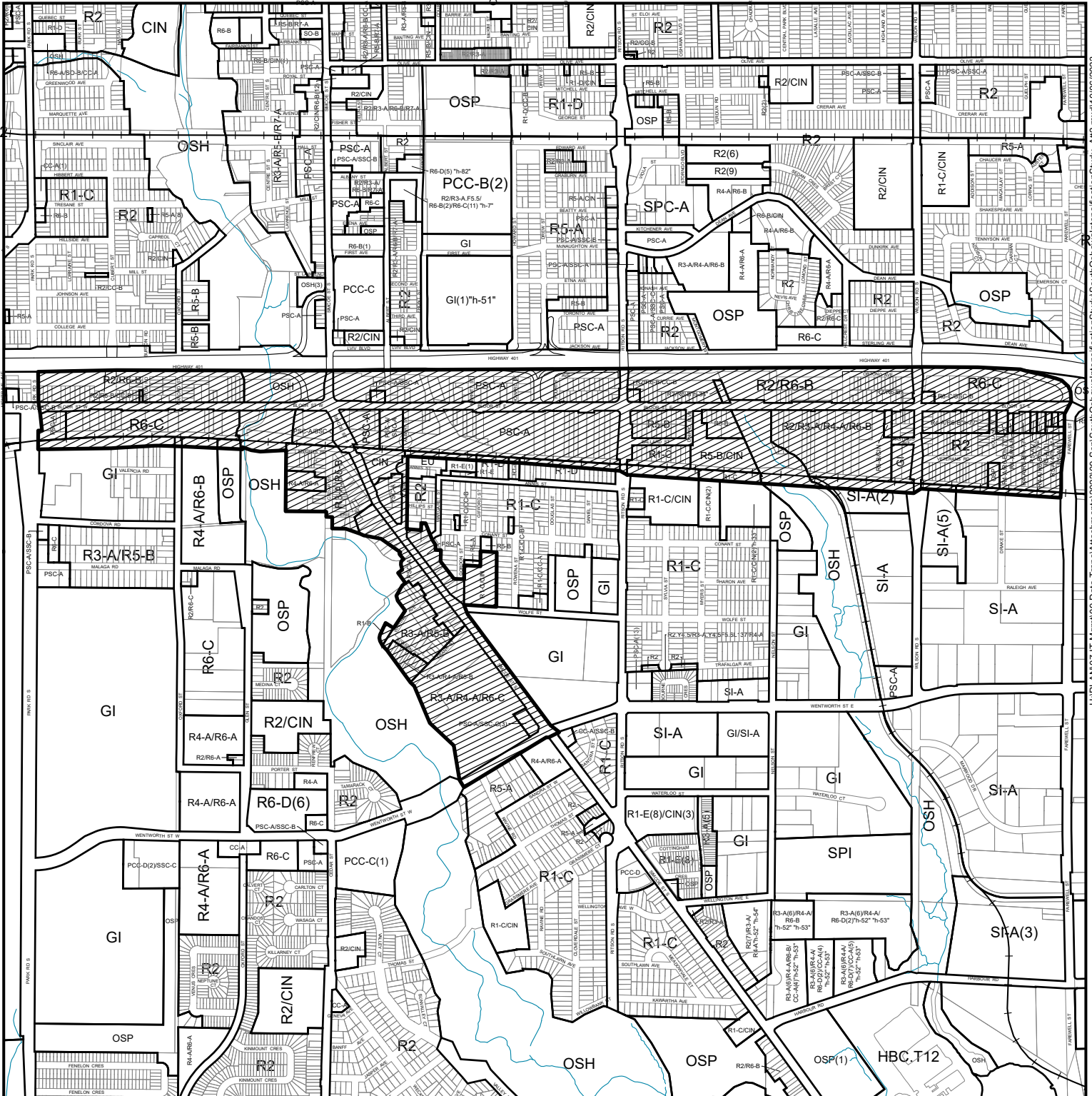
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Study Area



Ward: Ward 5
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Subject: Proposed Focused Intensification Study along certain portions of
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 Study Area

City of Oshawa
Economic and Development Services 





**By-law -2023
of The Corporation of the City of Oshawa**

Being an Interim Control By-law passed pursuant to Section 38 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, for certain lands in the City of Oshawa.

WHEREAS Section 38 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, authorizes the Council of a local municipality to pass an interim control by-law, which prohibits the use of land, buildings or structures within the municipality or within any defined area thereof for such purposes as set out in the By-law, if the Council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof;

AND WHEREAS the Council of the Corporation of the City of Oshawa has passed a resolution directing that a focused intensification study along certain portions of the Bloor Street and Simcoe Street South corridors be undertaken to review the existing policy framework and associated land uses to guide future development in suitable locations and appropriate types of built form in the study area;

AND WHEREAS the Council of the Corporation of the City of Oshawa has deemed it necessary and expedient to pass an interim control by-law, with respect to all land, buildings and structures within certain portions of the Bloor Street and Simcoe Street South corridors, as shown on Schedule 'A', attached hereto, while the focused intensification study is being completed.

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of the Corporation of the City of Oshawa by the Council thereof as follows:

1. This By-law applies to the areas in the City of Oshawa identified on Schedule 'A' attached to this By-law, generally defined as:
 - a. A portion of the Bloor Street corridor, generally bounded by Highway 401 to the north, the Canadian National Railway corridor to the south, Farewell Street to the east and Park Road South to the west; and,
 - b. A portion of the Simcoe Street South corridor, generally bounded by Highway 401 to the north, Wentworth Street West to the south, certain commercial/institutional/residential zoned lands to the east, and the Oshawa Creek valley to the west.
2. Each area described in Section 1 of this By-law is established as and declared to be an interim control area.
3. Notwithstanding any other City of Oshawa by-law to the contrary, no person shall, for the lands identified on Schedule 'A' attached hereto:
 - a. Use any land, building or structure for any purpose whatsoever except for a use that lawfully existed on the date of the passage of the By-law as long as it continues to be used for such purpose; or,

- b. Be permitted to construct, alter or expand any building or structure, save and except:
- i. where such construction, alteration or expansion is an outcome of a site plan application or building permit application currently in process on the date of the passage of this By-law that is fully in accordance with the approved City of Oshawa Zoning By-law 60-94, as amended;
 - ii. where such construction, alteration or expansion is an outcome of a zoning by-law application or Stage 2 pre-consultation currently in process on the date of the passage of this By-law;
 - iii. where such construction, alteration or expansion pertains to an accessory structure or building, accessory to a lawfully existing use on the date of the passage of the By-law as long as it continues to be used for such purpose.

4. Schedule 'A' shall form part of this By-law.

5. This By-law shall come into force and effect immediately upon the final passing thereof and shall be in effect for one year from the date of passing of this by-law, unless otherwise extended in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

By-law passed this day of , 2023.

Mayor

City Clerk