

To: Economic and Development Services Committee

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

Report Number: ED-23-198

Date of Report: October 11, 2023

Date of Meeting: October 16, 2023

Subject: Revised Applications to Amend the Oshawa Official Plan and
Zoning By-law 60-94, Dines Plaza Inc., 400 King Street West

Ward: Ward 4

File: OPA-2021-04, Z-2021-09

1.0 Purpose

The purpose of this Report is to provide a recommendation on the revised applications submitted by D.G. Biddle and Associates Limited (the “Applicant”) on behalf of Dines Plaza Inc. (the “Owner”) to amend the Oshawa Official Plan (the “O.O.P.”) and Zoning By-law 60-94 to permit a new 20-storey, mixed use commercial/residential building containing 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor on lands municipally known as 400 King Street West (the “Subject Site”). The new building is proposed to vary in height between 4, 6, 8 and 20 storeys.

The Applicant intends to register the proposed development as a condominium. If the subject revised applications to amend the O.O.P. and Zoning By-law 60-94, as amended, are approved, the Applicant will be required to submit an application for approval of a draft plan of condominium at the appropriate time.

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

Attachment 2 is a copy of the original proposed site plan submitted by the Applicant showing the building sections that are 4, 6, 8 and 20 storeys in height.

Attachment 3 is a copy of the original proposed ground floor plan submitted by the Applicant.

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

Attachment 5 is a copy of the revised proposed ground floor plan submitted by the Applicant.

Attachment 6 is a list of uses permitted in the PSC-A (Planned Strip Commercial) Zone.

A public meeting was held on January 10, 2022 concerning the subject applications. At the conclusion of the meeting, the then-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 January 10, 2022 public meeting form Attachment 7 to this Report.

Subsequent to the January 10, 2022 public meeting, the Applicant revised the subject development proposal. The key differences between the original proposal considered at the public meeting (see Attachments 2 and 3) and the revised proposal (see Attachments 4 and 5) are as follows:

- The number of apartment units has been reduced from 245 to 244, thereby reducing the proposed residential density from 642 units per hectare (260.6 u/ac.) to 640 units per hectare (260 u/ac.).
- The number of parking spaces proposed has increased from 339 to 347. The increase in parking supply and reduction in the number of apartment units results in the following proposed parking rate changes:
 - The proposed parking rate for residents has been increased from 1.13 spaces per unit to generally 1.156 spaces per unit (1 space per unit for 1 bedroom units; 1.25 spaces for 2 bedroom units and 1.5 spaces per unit for 3 bedroom units); and,
 - The proposed parking rate for visitors has been increased from 0.25 spaces per unit to 0.266 spaces per unit. The Applicant continues to propose to provide combined parking for commercial uses and residential visitors.

2.0 Recommendation

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

1. That, pursuant to Report ED-23-198 dated October 11, 2023, the revised application submitted by D.G. Biddle and Associates Limited on behalf of Dines Plaza Inc. to amend the Oshawa Official Plan (File: OPA-2021-04) to permit an increased residential density of 640 units per hectare (260 u/ac.) at 400 King Street West be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Economic and Development Services and Legal Services.
2. That, pursuant to Report ED-23-198 dated October 11, 2023, the revised application submitted by D.G. Biddle and Associates Limited on behalf of Dines Plaza Inc. to amend Zoning By-law 60-94 (File: Z-2021-09) to rezone 400 King Street West from PSC-A (Planned Strip Commercial) to an appropriate PSC-A (Planned Strip Commercial) Zone to permit a new mixed use residential/commercial building varying in

height between 4, 6, 8 and 20 storeys with 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Economic and Development Services and Legal Services.

3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-22-01 dated January 5, 2022 presented at the public meeting of January 10, 2022 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

3.0 Executive Summary

This Department recommends the approval of the revised applications to amend the Oshawa Official Plan and Zoning By-law 60-94, as amended, to permit the development of a mixed use building varying in height between 4, 6, 8 and 20-storeys with 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor at 400 King Street West.

The proposed mixed use building is located on the east side of Gibbons Street between King Street West and Bond Street West within the Downtown Main Central Area. The Subject Site has good access to transit and nearby amenities, including shopping and entertainment.

The proposed development conforms to the Provincial Growth Plan, is consistent with the Provincial Policy Statement, conforms to the Durham Regional Official Plan, is within the Built Boundary and represents good planning. The proposed building will help the City to achieve the delivery of 23,000 new housing units in Oshawa by 2031, as targeted by the Province.

4.0 Input From Other Sources

4.1 Other Departments and Agencies

No department or agency that provided comments has any objection to the subject revised applications. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the site plan approval and building permit processes, if the revised applications are approved.

4.2 Public Comments

The minutes of the January 10, 2022 public meeting concerning the subject application form Attachment 7 to this Report. Several letters were received from the public with respect to the subject applications expressing comments and objections to the applications.

Key concerns raised by the public at the public meeting and in the written correspondence are set out below together with a staff response.

4.2.1 Increase in Traffic

Comment:

Comments were received concerning the increase in traffic that would result from the proposed development, if approved.

Staff Response:

The proposed development would have driveway accesses to Bond Street West and Gibbons Street. No driveway access is proposed to King Street West.

King Street West and Bond Street West are designated as Type 'B' Arterial Roads and Gibbons Street is designated as a Collector Road on Schedule "B", Road Network, of the O.O.P. King Street West and Bond Street West are also designated as Regional Transit Spines on Schedule "B-1", Transit Priority Network, of the O.O.P.

Type 'B' Arterial Roads are intended to carry moderate volumes of traffic, including moderate volumes of truck traffic. Collector Roads are intended to carry moderate volumes of short distance traffic.

A Traffic Impact Study ("T.I.S.") dated May 23, 2023 prepared by Nextrans Consulting Engineers, a professional transportation consultant, on behalf of the Applicant, has been submitted in support of the applications. The T.I.S. found that in the worst case scenario the proposed development will contribute to 2% of the vehicular traffic on Bond Street West and King Street West at their respective intersections with Gibbons Street, and will contribute 5 to 6% of the vehicular traffic on Gibbons Street at Bond Street West and King Street West. These figures would decrease if signal improvements were made or some trips were diverted to transit use, particularly once the Durham-Scarborough Bus Rapid Transit Service becomes operational along King Street West.

The site accesses on Bond Street West and Gibbons Street are expected to operate at an excellent level of service during all peak periods.

Professional engineering staff at the Region and the City have no objection to the conclusions and recommendations of the T.I.S.

4.2.2 Parking

Comment:

Concerns were expressed regarding the proposed reduced parking rate for the proposed development.

Staff Response:

Subsequent to the January 10, 2022 public meeting, the total number of parking spaces for the Subject Site has been increased from 339 to 347.

The T.I.S. prepared by Nextrans Consulting Engineers reviewed the proposed parking supply using the Institute of Transportation Engineers Parking Generation Manual and the parking rates from comparable locations in other municipalities with Bus Rapid Transit corridor parking policies. Through this work it was determined that the proposed 347 parking spaces are sufficient for the proposed development.

The Applicant is proposing to provide the following parking rate for residents:

- 1 space per unit for 1 bedroom units;
- 1.25 spaces per unit for 2-bedroom units; and,
- 1.5 spaces per unit for 3-bedroom units.

The Applicant proposes to provide 65 parking spaces for visitors (0.266 spaces per unit). The Applicant proposes that the visitor parking spaces also serve as the parking for the commercial units as well.

City staff have no objection to the conclusions of the T.I.S. It is recommended that the site specific zoning condition only permit the combined commercial and visitor parking in a mixed use building containing a minimum of 244 apartment units and only for commercial units that are 100 square metres (1,076 sq. ft.) or smaller.

4.2.3 Building Height

Comment:

Comments were made concerning the appropriateness of the proposed building height and related shadowing of adjacent properties.

Staff response:

Under the existing PSC-A (Planned Strip Commercial) zoning for the Subject Site, apartment buildings having a maximum height of 13 metres (42.65 ft.) (generally 4 storeys) are currently permitted with a minimum interior side yard and rear yard depth of 0 metres where abutting a Commercial Zone, 4.50 metres (14.76 ft.) where abutting a Residential Zone, and 3 metres (9.84 ft.) where abutting a Zone other than Residential or Commercial. The building steps down from 20 storeys at the King/Gibbons intersection to eight and six storeys along the King and Gibbons Street frontages, and then down to four storeys on all three frontages. The 4-storey component is proposed to be 12 metres (39.37 ft.) in height, which is permitted under the current zoning.

The 20-storey portion of the building is generally located at the corner of King Street West and Gibbons Street and is not located adjacent to neighbouring residential properties north of Bond Street West.

Policy 2.1.2.4 of the O.O.P. states, in part, that the Downtown Main Central Area outside of the Downtown Oshawa Urban Growth Centre shall generally include a wide variety of high-rise and mid-rise development, and that buildings at corner locations should generally be higher than buildings in mid-block locations. The O.O.P. also contains policies related to the aesthetics and design of tall buildings, which will be implemented as part of the site plan approval application.

The Applicant has submitted a Shadow Study prepared by IBI Group in support of the proposed development showing shadow impact on June 21, September 21 and December 21 of any given year. The Shadow Study indicates that shadows from the proposed development will have varying degrees of impacts on properties in the area. These impacts have been partially mitigated by the design and massing of the building.

Shadows from the proposed building would only cover any given residential property north of Bond Street West for approximately 1 to 2 hours per day and primarily only during winter months. No shadows would be cast on residential properties north of Bond Street West during summer months.

The proposed variation in building height, ranging from 4 storeys to 20 storeys, with the 20-storey portion of the building generally located at the southeast corner of the Subject Site on an arterial road, is appropriate given the Subject Site's location within the Downtown Main Central Area and proximity to shopping, amenities, Durham Region Transit bus service, and the future Durham-Scarborough Bus Rapid Transit corridor.

4.2.4 Impact on Businesses

Comment:

Comments were made regarding the potential negative impacts of the proposed development on small businesses on the Subject Site and in the general area.

Staff response:

The current zoning of the Subject Site permits the existing commercial building to be demolished and replaced with a new residential, commercial and/or mixed use building ranging in height from 1 to 4 storeys.

The revised applications propose to replace the existing building with a mixed use residential/commercial building with 659 square metres (7,093.42 sq. ft.) of commercial floor space and 244 apartment units. Although the building currently existing on the Subject Site has more than 659 square metres (7,093.42 sq. ft.) of commercial floor space, the proposed development will include 244 residential apartments (approximately 400 to 634 residents) that will support both existing and new businesses in the area.

4.2.5 School Capacities

Comment:

A comment was made regarding the ability of nearby schools to accommodate children from the proposed development.

Staff response:

The Durham District School Board and Durham Catholic District School Board were each circulated the subject applications. Neither has expressed any objections to their approval.

4.2.6 Emergency Fire Response

Comment:

Comments were made with respect to the impact on fire response times by the increasing population in this part of Oshawa, and of the general fire safety of multi-storey buildings.

Staff response:

Fire Services has reviewed the materials submitted in support of the subject applications and has no concerns with their approval. There are several other high-rise projects in Oshawa including 80 Bond Street East (20 storeys) and 2550 Simcoe Street North (25 storeys) that Fire Services has experience with responding to emergencies. There are currently 18-storey and 27-storey apartment buildings currently under construction at 2545 Simcoe Street North.

4.2.7 Construction Noise

Comment:

A comment was made with respect to construction noise.

Staff Response:

The redevelopment of any land will likely result in temporary noise during construction. The City's Noise By-law 112-82, as amended, limits construction noise to the hours between 7:00 a.m. and 7:00 p.m. Monday to Saturday, and 9:00 a.m. and 5:00 p.m. on Sundays.

4.2.8 Sustainability

Comment:

A comment was made in support of the proposed development and suggested the incorporation of sustainable elements into the design of the building.

Staff Response:

City staff will work with the Applicant through the site plan approval application process to incorporate “green” building elements including into the proposed rooftop gardens and green roofs that the Applicant proposes.

5.0 Analysis

5.1 Background

The Subject Site is located on the east side of Gibbons Street between King Street West and Bond Street West, and is municipally known as 400 King Street West (see Attachment 1). The Subject Site has frontage on King Street West, Gibbons Street and Bond Street West.

The following is background information concerning the subject revised applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Planned Commercial Strip within the Downtown Main Central Area which permits a maximum residential density of 300 u/ha (120 u/ac.)	Planned Commercial Strip within the Downtown Main Central Area subject to a site specific policy to permit a maximum residential density of 640 u/ha (260 u/ac.)
Zoning By-law 60-94	PSC-A (Planned Strip Commercial)	An appropriate PSC-A (Planned Strip Commercial) Zone to implement the proposed development with site specific conditions to permit certain performance standards such as, but not limited to, increased residential density and building height and reduced required commercial and residential parking
Use	1-storey commercial plaza with approximately 8 separate commercial units including restaurants, retail stores and personal service establishments	Mixed use commercial/residential building varying in height between 4, 6, 8 and 20 storeys containing 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor

The following land uses are adjacent to the Subject Site:

- **North** Bond Street West, beyond which are single detached dwellings and apartment buildings
- **South** King Street West, beyond which are commercial uses including the Oshawa Centre shopping centre

- **East** A one-storey commercial plaza containing offices, personal service establishments and a payday loan establishment
- **West** Gibbons Street, beyond which are offices and a restaurant

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

Site Statistics Item	Measurement
Lot Frontage	King Street West – 54.80m (179.79 ft.) Bond Street West – 54.80m (179.79 ft.) Gibbons Street – 82.20m (269.69 ft.)
Gross Lot Area (inclusive of road widenings)	0.46 ha (1.14 ac.)
Net Lot Area (exclusive of road widenings)	0.38 ha (0.94 ac.)
Number of Proposed Apartment Units	244 Units: <ul style="list-style-type: none"> ▪ 139 one-bedroom units ▪ 60 two-bedroom units ▪ 45 three-bedroom units (includes 3 grade-related townhouse-type units)
Maximum Net Residential Density Permitted in PSC-A Zone	85 units per hectare (34 u/ac.)
Proposed Net Residential Density	640 units per hectare (260 u/ac.)
Gross Floor Area of Commercial Uses	659 sq. m. (7,093.42 sq. ft.)
Permitted Maximum Building Height in PSC-A Zone	13 m (42.65 ft.)
Proposed Building Heights	4 storey section – 12 m (39.37 ft.) 6 storey section – 17.60 m (57.74 ft.) 8 storey section – 23.20 m (76.12 ft.) 20 storey section – 62 m (203.41 ft.)
Proposed Floor Space Index	5.56
Parking Spaces Required	Residents – 354 (1.45 spaces per unit) Visitors – 73 (0.3 spaces per unit) Commercial – 27 (1 space per 24 sq. m. of gross floor area) Total: 454
Parking Spaces Provided	Residents – 282 [1 space per unit for 1 bedroom units (139 spaces), 1.25 spaces per unit for 2 bedroom units (75 spaces), 1.5 spaces per unit for 3 bedroom units (68 spaces)]

Site Statistics Item	Measurement
	Visitors – 65 (0.266 spaces per unit) Commercial – 0 (the Applicant proposes to provide combined parking for commercial uses and residential visitors) Total: 347
Loading Spaces Required	1 small loading space
Loading Spaces Provided	1 small loading space and 1 large loading space
Bicycle Parking Spaces Provided	135 long-term bicycle parking spaces for residents and 17 short-term bicycle parking spaces for visitors.

5.2 Oshawa Official Plan

The Subject Site is designated as Planned Commercial Strip within the Downtown Main Central Area in the O.O.P.

The O.O.P. specifies, in part, that mixed commercial-residential developments may be permitted within areas designated as Planned Commercial Strip subject to the inclusion of appropriate policies in the zoning by-law and any other relevant policies of the O.O.P.

The O.O.P. further specifies, in part, that the portion of the Downtown Main Central Area outside of the Downtown Oshawa Urban Growth Centre will 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 of these lands 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.

The O.O.P. also specifies that the built form within the Downtown Main Central Area outside of the Downtown Oshawa Urban Growth Centre shall generally include a wide variety of high-rise and mid-rise development, with some low-rise ground-related intensive and compact development in transitional areas, and that buildings at corner locations should generally be higher than buildings in mid-block locations.

Similarly, the O.O.P. contains policies which establish various residential 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, which is the highest density type. Nevertheless, the locational criteria for High Density II Residential development have been used to assist in the analysis of the proposal.

Table 2, Residential Density Classification, in the O.O.P. is a guideline that indicates 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 subject to the following general locational criteria:

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

The maximum residential density of 300 units per hectare would permit approximately 115 units on the Subject Site.

The proposed mixed-use commercial/residential development at 400 King Street West would have a net residential density of approximately 640 units per hectare (260 u/ac.), which is greater than the High Density II Residential classification. This density is more aligned with the density objectives associated with the Downtown Oshawa Urban Growth Centre, which include a maximum density of 550 units per hectare (222 u/ac.). Accordingly, the proposed density is not permitted within the Downtown Main Central Area designation. Therefore, the Applicant has submitted an application to amend the O.O.P. in this regard.

King Street West and Bond Street West are designated as Type 'B' Arterial Roads on Schedule "B", Road Network, of the O.O.P., and as Regional Transit Spines on Schedule "B-1", Transit Priority Network, of the O.O.P.

Gibbons Street is designated as a Collector Road on Schedule "B", Road Network, of the O.O.P.

This Department has no objection to the approval of the revised application to amend the O.O.P. Section 5.5 of this Report sets out the planning rationale for this position.

5.3 Zoning By-law 60-94

The Subject Site is zoned PSC-A (Planned Strip Commercial) (see Attachment 1).

The PSC-A Zone permits a range of residential, commercial and institutional uses including, but not limited to, apartment buildings, block townhouses, day care centres, financial institutions, flats, hotels, offices, personal service establishments, restaurants, retail stores, retirement homes and commercial and private schools (see Attachment 6).

A mixed use commercial/residential building is permitted in the PSC-A Zone subject to compliance with regulations on matters such as maximum density, maximum height and minimum parking. The maximum building height permitted in the PSC-A Zone is 13 metres (42.65 ft.) and the maximum residential density permitted is 85 units per hectare. The minimum required parking for the proposed building is 454 spaces.

The current zoning would permit an apartment building or mixed use commercial/residential building with a maximum height of 13 metres (42.65 ft.) and

32 apartment units, subject to compliance with regulations such as minimum parking requirements.

The Applicant has submitted an application to amend Zoning By-law 60-94, as amended, to rezone the Subject Site to an appropriate PSC-A (Planned Strip Commercial) Zone subject to a special condition to permit the proposed building varying in height between 4, 6, 8 and 20 storeys with 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor. In order to implement the proposed building/site design, special regulations are proposed such as increased residential density and building height and reduced required parking.

The Applicant has requested a reduced parking rate for residents and visitors. In addition, the Applicant proposes to provide shared parking for the commercial uses and residential visitors. A total of 65 spaces are proposed for use by both visitors and the commercial uses, whereas Zoning By-law 60-94 requires 100 spaces, including 73 spaces for residential visitors and 27 spaces for the commercial floor space.

This Department has no objections to the approval of the revised application to amend Zoning By-law 60-94, as amended, for the Subject Site which would:

- Rezone the Subject Site from PSC-A (Planned Strip Commercial) to an appropriate PSC-A (Planned Strip Commercial) Zone to permit a maximum residential density of 640 units per hectare (260 u/ac.) (244 apartment units); and,
- Implement site specific zoning regulations to facilitate the proposed site and building designs, including the establishment of certain performance standards such as maximum height, minimum building setbacks and minimum parking.

Section 5.5 of this Report sets out the rationale for this position.

5.4 Site Design/Land Use Considerations

The Applicant proposes to develop a 20-storey mixed-use commercial/residential building with 244 apartment units and 659 square metres (7,093.42 sq. ft.) of commercial floor space on the ground floor. The proposed building varies in height between 4, 6, 8 and 20 storeys.

The proposed building includes parking on the ground floor, two levels of underground parking and three levels of above ground parking incorporated into the 4-storey base of the building. Although parking is proposed on the ground floor and the second, third and fourth floors, these floors also feature commercial and residential units along the north, west and south exterior sides of the building facing onto Bond Street West, Gibbons Street and King Street West, respectively. Driveway ingress and egress to the Subject Site will be from Gibbons Street. In addition, a driveway access from Bond Street West along the north side of the Subject Site is proposed for loading and refuse collection. No driveways are proposed from King Street West.

The proposed building also includes the following features:

- A 1,005 square metre (10,817.73 sq. ft.) rooftop garden/amenity area on the 5th floor (roof of 4th floor);
- A 306 square metre (3,293.76 sq. ft.) indoor amenity room on each of the 5th and 6th floors;
- Green roofs on the roofs of floors 6 and 8;
- Balconies for all units, save and except for the three grade-related townhouse-type apartment units, which each feature an at-grade private amenity area; and,
- 135 long-term and 17 short-term bicycle parking spaces.

In support of the proposed site design/development, the Applicant has submitted a variety of plans and documents including a site plan, a floor plan, building elevations, a planning justification report and addendum, a shadow study, a grading plan, a servicing plan, a functional servicing and stormwater management report, a landscape plan, a transportation and parking study including an addendum, a geotechnical investigation, an airport assessment and environmental site assessments.

Detailed design matters will be reviewed during the further processing of a future application for site plan approval to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies if the subject applications are approved.

Some of the specific matters this Department will be reviewing during the processing of a future site plan application, if the subject applications are improved, include:

- (a) Site/building design matters including loading, building architecture, building sustainability, streetscaping, accessibility, waste collection, fire access, and rooftop amenity area design;
- (b) Transportation considerations;
- (c) Noise attenuation;
- (d) Servicing, grading and stormwater management matters;
- (e) The environmental condition of the site given the current commercial use; and,
- (f) Crime Prevention Through Environmental Design matters.

5.5 Basis for Recommendation

This Department has no objection to the subject application for the following reasons:

- (a) Developing the property to a more intense use at this location conforms to the Provincial Growth Plan and is consistent with the Provincial Policy Statement;

- (b) The proposed development conforms with the Durham Regional Official Plan;
- (c) The proposed high density development is transit supportive given its proximity to multiple Durham Region Transit routes and future Durham-Scarborough Bus Rapid Transit corridor;
- (d) The O.O.P. encourages tall buildings at appropriate locations within the Downtown Main Central Area outside the Downtown Oshawa Urban Growth Centre including at corner locations such as the Subject Site;
- (e) The proposed building is designed such that the shorter section of the building abuts Bond Street West and transitions to the taller section abutting King Street West;
- (f) The development can be designed to be compatible with surrounding land uses;
- (g) The development will make efficient use of existing municipal services such as water and sanitary services;
- (h) The proposed building will help the City to achieve the delivery of 23,000 new housing units in Oshawa by 2031, as targeted by the Province; and,
- (i) The proposed development represents good planning.

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 are not 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

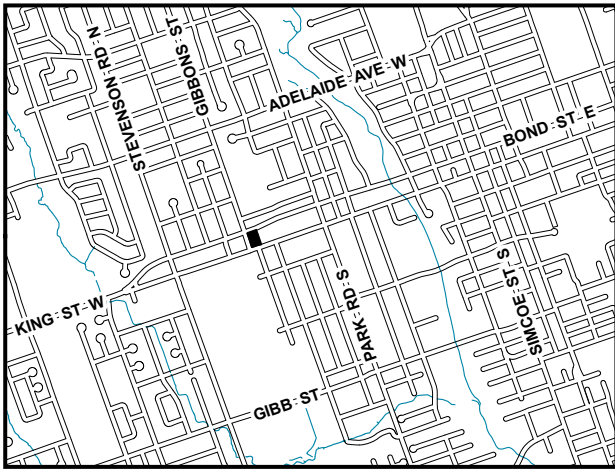
The Recommendations advance the Economic Prosperity and Financial Stewardship goal of the Oshawa Strategic Plan.



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



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



Item: ED-23-198
Attachment 1

Economic and Development Services

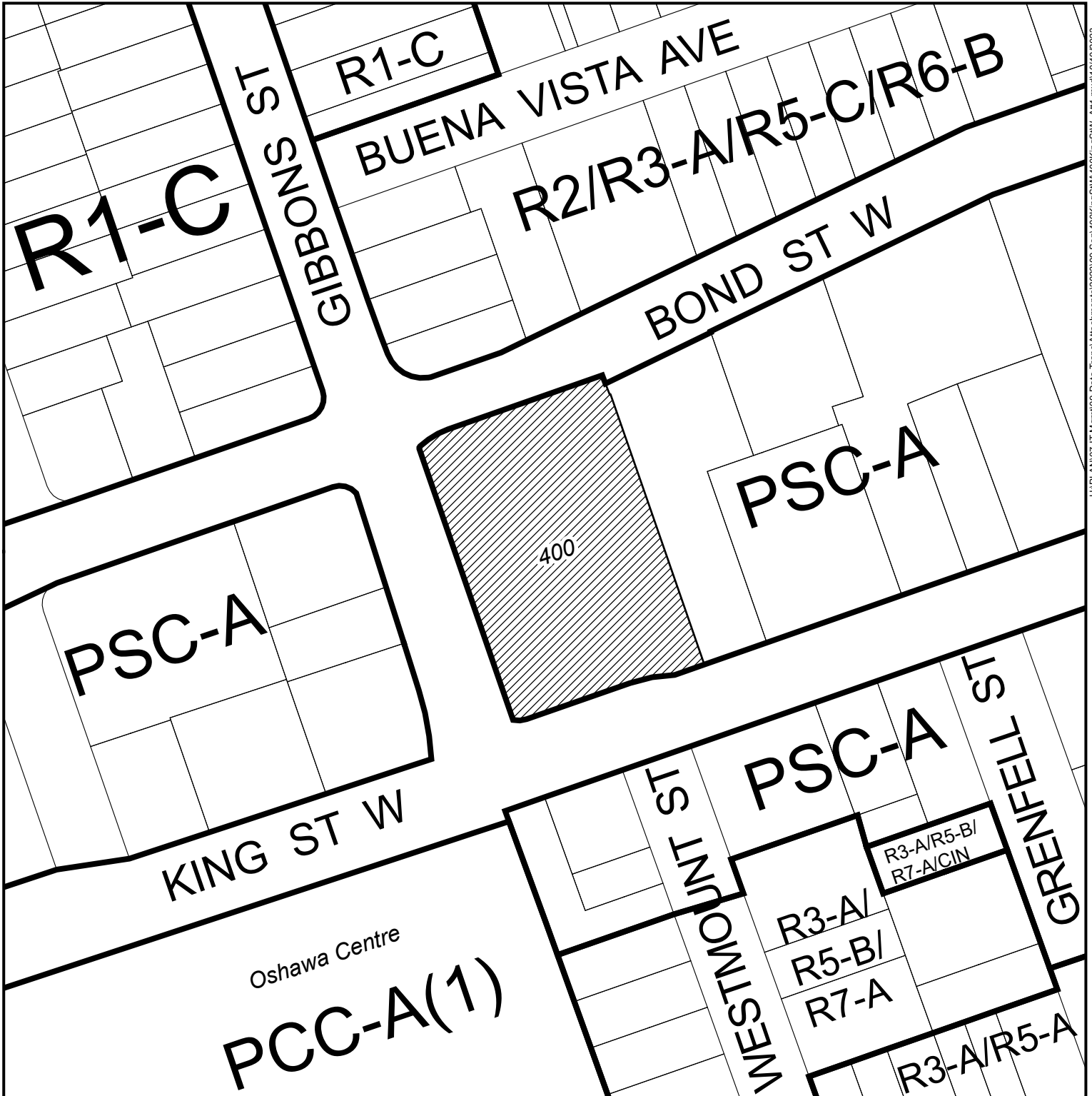
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Subject Site



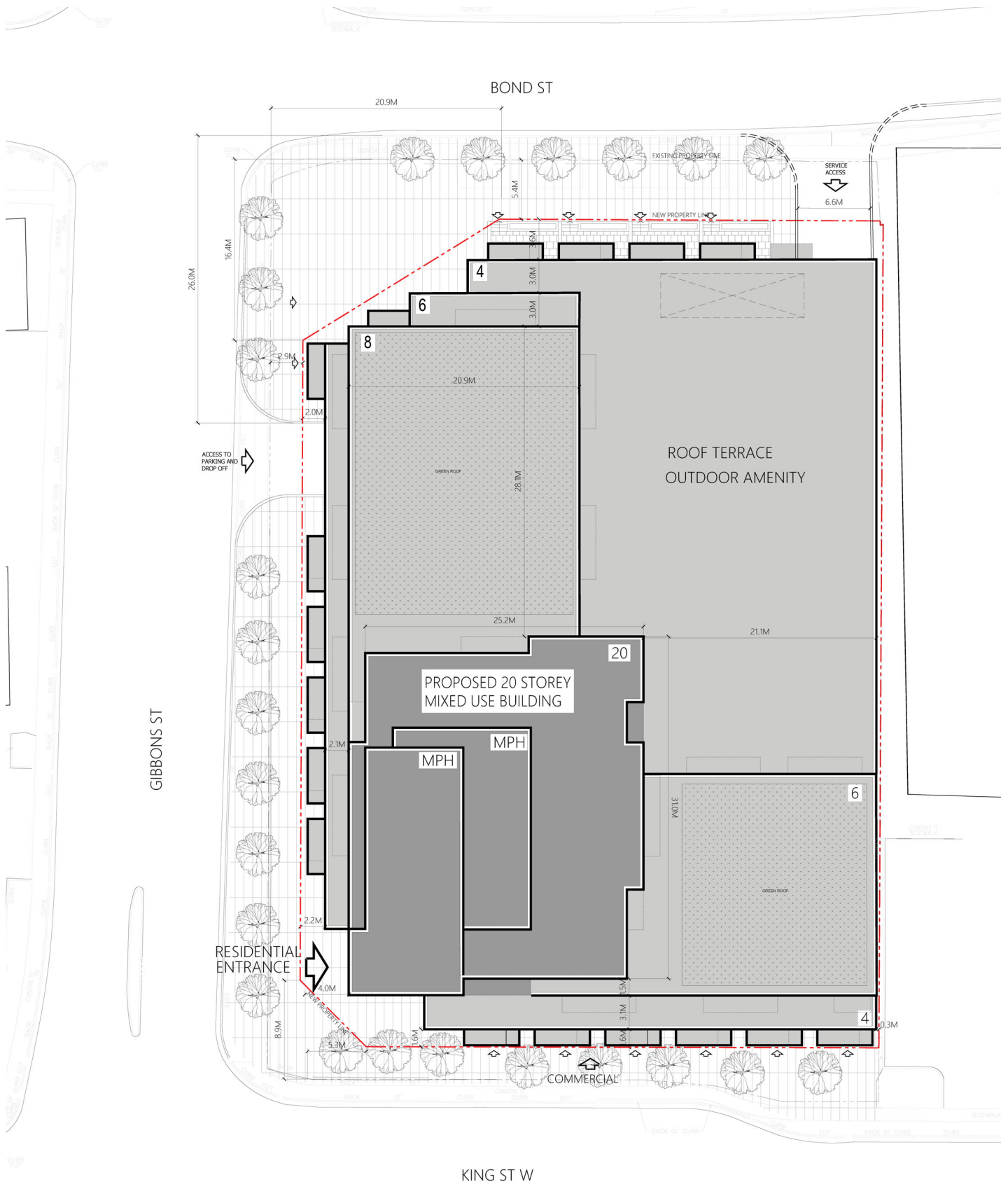
Title: Applicant Submission - Original Proposed Site Plan

Subject: Revised Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
Dines Plaza Inc.

Address: 400 King Street West

Ward: Ward 4

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City of Oshawa
Economic and Development Services

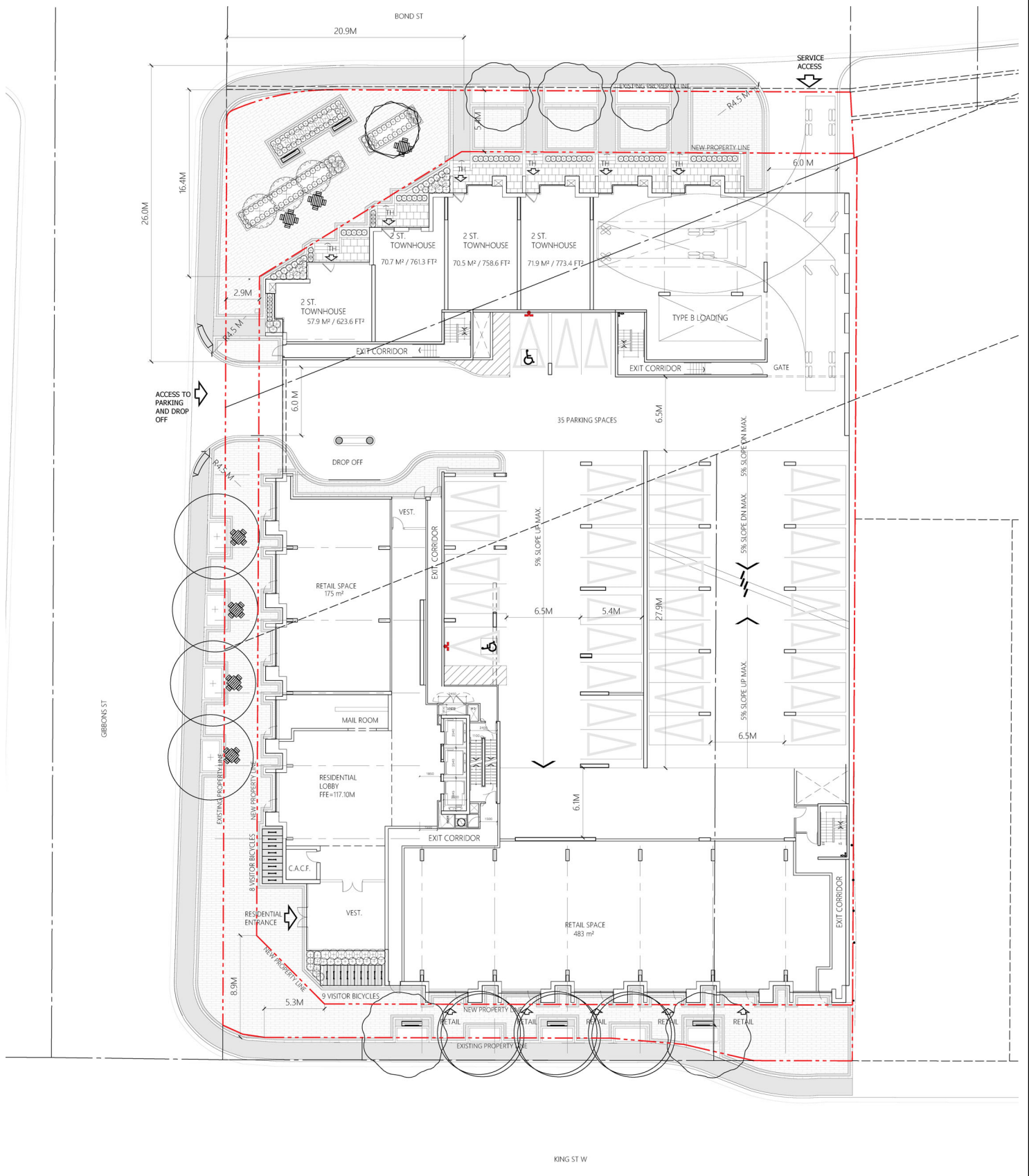
Title: Applicant Submission - Original Proposed Ground Floor Plan

Subject: Revised Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
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City of Oshawa
Economic and Development Services

NOTE 1
ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED

City of Oshawa
Development Services



List of Permitted Uses in the PSC-A (Planned Strip Commercial) Zone:

- (a) Animal hospital
- (b) Apartment building
- (c) Art gallery
- (d) Auction establishment
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (g) Automobile sales and service establishment
- (h) Block townhouse
- (i) Brew your own operation
- (j) Church
- (k) Cinema
- (l) Club
- (m) Commercial recreation establishment, except a billiard hall
- (n) Commercial school
- (o) Craft Brewery
- (p) Crisis care residence
- (q) Day care centre
- (r) Financial institution
- (s) Flat
- (t) Funeral home
- (u) Hotel
- (v) Lodging house
- (w) Long Term Care Facility
- (x) Merchandise service shop
- (y) Museum
- (z) Nursing home
- (aa) Office
- (bb) Outdoor storage accessory to a permitted use in the PSC-A Zone
- (cc) Peddle
- (dd) Personal service establishment
- (ee) Printing establishment
- (ff) Private School
- (gg) Restaurant
- (hh) Retail store
- (ii) Retirement home
- (jj) Studio
- (kk) Tavern
- (ll) Taxi establishment
- (mm) Theatre

Excerpts from the Minutes of the Development Services Committee Meeting held on January 10, 2022

Additional Agenda Items

Moved by Councillor McConkey

That Correspondence DS-22-17 from various residents submitting comments concerning Report DS-22-01 regarding the Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Dines Plaza Inc., 400 King Street West be added to the agenda for the Development Services Committee Planning Act Public Meeting of January 10, 2022 and referred to the respective report.

Motion Carried

Declarations of Pecuniary Interest

None.

Application: DS-22-01

Presentation

D. G. Biddle and Associates Ltd. – Applications to Amend Zoning By-law 60-94

Michael Fry D.G. Biddle & Associates Limited provided a presentation concerning the Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Dines Plaza Inc., 400 King Street West

The Committee questioned Michael Fry.

Delegations

Dawn Boncheck – Development Applications for 400 King Street West

Dawn Boncheck addressed the Development Services Committee in opposition to Report DS-22-01 regarding development applications for property located at 400 King Street West, expressing concerns with the high density of the development, the increased traffic and what will happen to the current small business owners in the plaza if the plan is approved.

The Committee questioned Dawn Boncheck.

Matt Post – Development Applications for 400 King Street West

Matt Post addressed the Development Services Committee in opposition to Report DS-22-01 regarding development applications for property located at 400 King Street West, expressing concerns with the noise, traffic, possible vacant apartments to Air B and B's and transit concerns if the plan is approved.

The Committee questioned Matt Post.

Len Corby – Development Applications for 400 King Street West

Len Corby addressed the Development Services Committee in opposition to Report DS-22-01 regarding development applications for property located at 400 King Street West, expressing concerns with the high density of the development and the height of the building causing sunlight concerns if the plan is approved.

Kathy Lenehan-Cumming – Development Applications for 400 King Street West

Kathy Lenehan-Cumming addressed the Development Services Committee in opposition to Report DS-22-01 regarding development applications for property located at 400 King Street West, expressing safety concerns within the immediate area if the plan is approved.

Crystal Bradshaw – Development Applications for 400 King Street West

Crystal Bradshaw addressed the Development Services Committee in opposition to Report DS-22-01 regarding development applications for property located at 400 King Street West, expressing concerns with parking, general congestion, traffic impact, entrance/exit concerns and business impacts if the plan is approved.

The Committee questioned Crystal Bradshaw.

Correspondence

(see additional items)

Reports

DS-22-01 – Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Dines Plaza Inc., 400 King Street West (Ward 4)

Moved by Mayor Carter

That, pursuant to Report DS-22-01 dated January 5, 2022, the applications submitted by Dines Plaza Inc. to amend the Oshawa Official Plan (File: OPA-2021-04) and Zoning By-law 60-94 (File: Z-2021-09) to permit the development of a 20-storey, mixed use commercial/residential building containing 245 apartment units and 659 square metres (7,094 sq. ft.) of commercial floor space on the ground floor at 400 King Street West be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.

Motion Carried