



Memorandum Item: CNCL-24-46

Economic and Development Services Department

Date: April 23, 2024

File: Z-2022-11, S-O-2022-04

To: Mayor Carter and Members of Council

From: Anthony Ambra, P.Eng., Commissioner
Economic and Development Services Department

Re: **Response to Letters Received from Maxwell Heights Neighbourhood Association with respect to Revised Applications to Amend the Zoning By-law (File: Z-2022-11) and for Approval of a Proposed Draft Plan of Subdivision (File: S-O-2022-04)**

1.0 Purpose

On April 8, 2024, the Economic and Development Services Committee considered Report ED-24-42 regarding revised applications submitted by Icon Harmony Limited (the "Applicant") to amend Zoning By-law 60-94 (File: Z-2022-11) and for approval of a proposed draft plan of subdivision (File: S-O-2022-04) for lands municipally known as 1081 and 1093 Harmony Road North and 836 Pinecrest Road (the "Subject Site"). The report recommended the following:

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

1. That, pursuant to Report ED-24-42 dated April 3, 2024, the revised application submitted by Icon Harmony Limited to amend Zoning By-law 60-94 (File: Z-2022-11) to rezone 1081 and 1093 Harmony Road North and 836 Pinecrest Road from R1-A (Residential) to an appropriate R2 (Residential) zone to permit the development of 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings 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 the City Solicitor.
2. That, pursuant to Report ED-24-42 dated April 3, 2024, the revised application submitted by Icon Harmony Limited for approval of a draft plan of subdivision (File: S-O-2022-04) which proposes a block for single detached dwellings, semi-detached dwellings and block townhouses and a road widening block at 1081 and 1093 Harmony Road North and 836 Pinecrest Road be approved, and that the Commissioner of Economic and Development Services or Director of Planning Services be authorized to impose City conditions in the draft plan of subdivision approval Planning Act decision.
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law amendment proposed in Report ED-23-10 dated January 4, 2023, presented at the public meeting of January 9, 2023, differs to some degree from the proposed amendment recommended to be approved by

City Council pursuant to Part 1 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.”

On April 8, 2024 the Economic and Development Services Committee adopted the following motion:

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

Whereas the Maxwell Village Neighbourhood Association has submitted two reports questioning the staff recommendations in this report; and

Whereas Committee Members and staff require time to review the two submitted reports;

Therefore be it resolved that based on Report ED-24-42 concerning revised development applications for 1081 and 1093 Harmony Road North and 836 Pinecrest Road submitted by Icon Harmony Limited:

1. That this matter be deferred until the April 29, 2024 Council meeting; and,
2. That staff provide comments on the two Neighbourhood Association reports prior to the Council meeting.”

This Memorandum is intended to:

- a) Respond to the two reports submitted by the Maxwell Village Neighbourhood Association consisting of Attachments 2 and 3 to this Report; and,
- b) Provide an update on the efforts of staff to accommodate a driveway for the proposed development onto Harmony Road North from the Subject Site.

Attachment 1 to this Memorandum is a copy of Report ED-24-42 dated April 3, 2024.

Attachment 2 to this Memorandum is a copy of a letter from Kristy Kilbourne providing land use planning commentary on behalf of the Maxwell Village Neighbourhood Association.

Attachment 3 to this Memorandum is a copy of a letter from Dewan Karim providing transportation engineering commentary on behalf of the Maxwell Village Neighbourhood Association.

2.0 Analysis

2.1 Background

On April 7, 2024, the City was provided with two letters prepared on behalf of the Maxwell Village Neighbourhood Association with respect to the subject revised applications. The first letter was prepared by Kristy Kilbourne (“Kilbourne”) providing land use planning commentary on the applications (see Attachment 2). The second letter was prepared by Dewan Karim (“Karim”) providing transportation engineering commentary on the applications (see Attachment 3).

2.2 Kilbourne Planning Comments

The commentary from Kilbourne is set out below together with a staff response.

2.2.1 Kilbourne Comment 1

“Inadequate information has been presented to support the basis for recommendation in Section 5.7 of the Staff Report, in particular related to the following:

- a) The proposed development conforms to the Durham Regional Official Plan and the O.O.P.
- b) The increased traffic as a result of the proposed development will have a negligible impact on the adjacent local roads and their intersections with Harmony Road North. The road network can accommodate the additional vehicle trips.
- c) The proposed development has been designed to be compatible with surrounding land uses and provides an appropriate interface with surrounding existing residential development.
- d) The proposed development represents good planning.”

Staff Response:

- a) Kilbourne does not specify which policies of the Durham Regional Official Plan or the Oshawa Official Plan (the “O.O.P.”) they believe the subject applications do not comply with. The Region of Durham Planning and Economic Development Department has stated they have no objection to the approval of the applications. Section 5.2 of Report ED-24-42 (see Attachment 1) outlines City Planning staff’s opinion with respect to conformity to the O.O.P., namely, that the subject revised applications conform to the O.O.P.
- b) Report ED-24-42 outlines that the transportation engineers at both the City and the Region have reviewed the traffic impact studies prepared by GHD and they have no objections to the conclusions that the development will have negligible impact on the local roads and Harmony Road North.
- c) Report ED-24-42 outlines that the interfacing homes in this development abutting existing homes on Swiss Height and Pinecrest Road will have a maximum height of 9m (29.5 ft.) and two storeys which matches the maximum building height already permitted under the current R1-A zoning. The proposed development contemplates a low rise, low density housing project that is consistent with the Low Density Residential designation of the Pinecrest Part II Plan.
- d) In view of the foregoing, and in consideration of the various matters addressed in detail in Report ED-24-42, it is this Department’s opinion that the proposed development represents good planning.

2.2.2 Kilbourne Comment 2

“Staff and the applicant have only selectively considered and addressed applicable Regional and Oshawa Official Plan (O.O.P.) policies. Official Plans must be read and applied in their entirety and all decisions of Council related to Zoning By-law Amendments must ensure that

the amendment would be in conformity with the in-force and effect Official Plan and the applicable policies of the Part II Plan.

- In particular, many of the Part II Plan policies have not been spoken to or addressed in relation to this proposal and it's conformity with the O.O.P. Some examples are listed below:
 - a) 8.4.6.7 It is the intent of the City to encourage the development of large lot single detached dwellings in areas as schematically shown on the Pinecrest Land Use and Road Plan, particularly where such areas abut creek valleys, woodlots or the top of the slope associated with the former Lake Iroquois shoreline.
 - b) 8.4.6.8 In areas designated as Low Density Residential, the City will encourage the provision of new residential development of a similar type as abutting residential development existing as of the date of approval of this Part II Plan in order to ensure compatibility between new and existing development.
 - c) 8.4.12.5 Development shall have regard to its effect on the natural environment. Measures shall be taken to retain and enhance natural features having ecological, recreational or aesthetic value such as significant woodlots, specimen trees, scenic vistas and natural watercourses.”

Staff Response:

- a) Attachment 2 of Report ED-24-42 is a copy of the Pinecrest Land Use and Road Plan which shows areas designated as Large Lot Single Detached Dwellings. This designation applies to various properties in the Pinecrest Planning Area that directly abut open space corridors and creek valleys, as outlined in Policy 8.4.6.7 of the Pinecrest Part II Plan. Lands on the east and south sides of Pinecrest Road and the east side of the north-south leg of Swiss Height have been developed as large lot single detached dwellings. This designation does not apply to the Subject Site.
- b) Policy 8.4.6.8 of the Pinecrest Part II Plan does not stipulate that only single detached dwellings shall be permitted in the Low Density Residential designation. The proposed development conforms to the Low Density Residential designation by providing a residential density of 32.15 units per hectare (13.02 ac.). The applications propose to provide single detached dwellings abutting existing single detached dwellings on Pinecrest Road and Swiss Height, in accordance with Policy 8.4.6.8.
- c) The Subject Site is composed of three large residential properties with manicured yards and various trees throughout the site. There are no significant woodlots, scenic vistas or natural watercourses. Regardless of the type or density proposed, most trees would be required to be removed for any redevelopment. Boundary trees along the exterior property lines will be preserved and protected during construction. The Central Lake Ontario Conservation Authority has indicated that there are no significant natural heritage features on the Subject Site that require preservation or protection.

2.2.3 Kilbourne Comment 3

- “Staff have indicated that the proposed development would necessarily contribute toward fulfilling the City’s housing needs. Policy 8.4.6.10 (d) of the Pinecrest Part II Plan indicates: ‘Development will be monitored on a City-wide basis to determine if the affordability objectives of the Oshawa Official Plan are being achieved. Should the objectives not be met, the Pinecrest Part II Plan will be reviewed and may be revised to address this situation in the context of its role in the City’s housing supply.’ This policy seems to indicate that if the objectives had not been met for this particular planning area, an amendment to the Part II plan to address this need would’ve been initiated by the City.”

Staff Response:

- a) Kilbourne appears to be suggesting that if housing affordability were an issue in Oshawa, then the City would amend the Pinecrest Part II Plan in accordance with Pinecrest Part II Plan Policy 8.4.6.10(d). However, this is not what the policy states. Rather, the policy states that if housing objectives across the City are not being achieved, the Pinecrest Part II Plan will be reviewed and may be revised to address the housing affordability situation.
- b) Policy 8.4.6.10(d) only says the Pinecrest Part II Plan may be revised upon review, not shall be revised.
- c) Staff note that Kilbourne’s letter does not address the balance of Policy 8.4.6.10, consisting of paragraphs (a), (b) and (c) which read as follows:

“8.4.6.10 The following policies will apply to lands to be used for residential purposes within the Pinecrest Planning Area:

- (a) Opportunities will be created for a broad range of residential accommodation by housing type, tenure, size, location and cost which are suitable for different income and age levels, and household structures in order to meet the housing needs of the future residents of the Pinecrest Planning Area.
- (b) Innovation will be encouraged in terms of housing types to ensure that development will create and foster continuing opportunities for affordable housing.
- (c) The Pinecrest Planning Area will contribute to achieving an overall City-wide goal of providing a minimum of twenty-five percent (25%) affordable housing.”

Paragraphs (a) to (c) emphasize the need for a diverse housing supply to accommodate a range of household needs and that is receptive to the current housing needs in Oshawa.

- d) Policy 8.4.6.10(d) would suggest that, upon review of the Pinecrest Part II Plan by the City, the City may need to redesignate certain lands to create more opportunities for housing in the area or increase the residential densities in certain areas. In any case, the Applicant is not proposing to amend the Part II Plan but rather develop the site in accordance with the existing Low Density Residential designation, while achieving suitable residential

intensification and the supply of a variety of housing types in accordance with Paragraph (a) of Policy 8.4.6.10.

- e) The City reviewed the Pinecrest Part II Plan as well as the O.O.P. as a whole including other Part II Plans and Secondary Plans as part of the City's Growth Plan conformity exercise in the mid-2010s. The City adopted Official Plan Amendment 179 ("O.P.A. 179") in 2016 and it was subsequently approved by the Region of Durham. O.P.A. 179 implemented the Province's Growth Plan for the Greater Golden Horseshoe and the Region of Durham's Official Plan. O.P.A. 179 redesignated lands within the Pinecrest Part II Plan on the south side of Taunton Road East, east of Townline Road North from Low Density Residential to Medium Density II Residential subject to a policy to also permit Medium Density I Residential. This is an example of how the City has reviewed the Pinecrest Part II Plan in consideration of evolving Provincial and Regional land use planning policies and the need to accommodate additional housing and a range of housing in the Pinecrest Planning Area at appropriate locations.
- f) Kilbourne's comments appear to suggest that no additional housing can be permitted in the Pinecrest Part II Plan unless the plan is reviewed and amended in some form. It is important to note that the City may review and consider the Pinecrest Part II Plan's contribution to housing affordability as part of the review of an application to amend the Pinecrest Part II Plan submitted by a landowner or developer. This is not currently the case with respect to the subject revised applications as the Applicant is not proposing to amend the plan.
- g) Lastly, due to the general lack of housing affordability across Ontario, the Province has tasked the City with delivering 23,000 new housing units in Oshawa between 2022 and 2031. This is part of the Province's plan to build 1.5 million homes across Ontario over the ten-year period, for the purpose of increasing housing supply.

2.2.4 Kilbourne Comment 4

- "With regard to comparator properties Staff have referenced in Section 4.2.1 of the Staff Report, properties presented consist of medium density developments in areas outside of the Pinecrest Part II Plan area, with the exception of 1280 Harmony Road North which is designated Medium Density in the Pinecrest Part II Plan, has direct site access onto Harmony Road, and is located near the major intersection of Harmony and Taunton Roads. Further, these comparables are all served by either direct access to an arterial or collector road or full movement turning opportunities within very close proximity to the site access which mitigates for any traffic impacts on existing surrounding neighbourhoods."

Staff Response:

The purpose of Section 4.2.1 of Report ED-24-42 is to demonstrate that the proposed development conforms to the Low Density Residential designation due to the proposed residential density, despite the inclusion of block townhouses. It was also to help visualize the contrast between the proposed low density development contemplated in the subject revised applications in comparison to other completed medium density developments in the City. The examples consist entirely of block townhouse dwellings whereas the subject proposed development consists of a mix of block townhouse dwellings, semi-detached dwellings and single detached dwellings.

Kilbourne does not dispute the argument made in this section of the Report, but rather focuses on whether the comparable housing developments have direct driveway access to an arterial or collector road. There is no policy or direct correlation regarding what type of road any given type or density of development must have. In any case, all of the listed comparable housing developments that are in the Medium Density I Residential category or Medium Density II Residential category have direct driveway access to either an arterial road or a collector road, whereas the subject proposed development is a Low Density Residential development with access to a local road.

2.2.5 Kilbourne Comment 5

- “While the O.O.P. does allow for some flexibility in interpretation (e.g. numerical values, typologies), the City and applicant have not demonstrated how the proposed development conforms otherwise and satisfies the intent of the OOP relevant and applicable policies for Low Density Residential, which the site is designated. If the proposed density falls within the criteria for medium density, and the built form/typology proposed also falls under the criteria for medium density development in the O.O.P., it has not been clearly or adequately explained what else distinguishes the proposed development as conforming with the Low Density Residential policies and the intent of the O.O.P. and Part II Plan, compared to a Medium Density Residential development proposal which would require an Official Plan Amendment. Notably, comparable developments presented by staff appear to be Medium Density Residential developments, and designated as such or enabled through separate policies in the O.O.P. or respective Part II Plan where applicable.”

Staff Response:

Section 4.2.1 of Report ED-24-42 contains detailed discussion outlining how the proposed development is consistent with the Pinecrest Part II Plan.

The Pinecrest Part II Plan and O.O.P. contain policies which are predicated in articulating the City’s intent for how development should generally occur, rather than impose strict parameters. As such, they provide for a modicum of flexibility in interpretation, acting reasonably.

As an example, a residential development in an area that is designated Medium Density I Residential (which generally permits a density of 30 to 60 units per hectare) could be proposed at 28 units per hectare with a built form consisting entirely of townhouses and still be considered to conform to the intent of the Medium Density I Residential designation. Similarly, the proposed development featuring a mix of single detached, semi-detached and block townhouse units having a combined density of 32.15 units per hectare which is considered to conform to the Low Density Residential designation.

The site at 1640 Grandview Street North is designated Low Density Residential in the Taunton Part II Plan, but was developed as entirely block townhouses and produced a density of 31.3 units per hectare (12.7 u/ac.). According to Kilbourne’s opinion, that development would not be permitted because it is over 30 units per hectare and consists entirely of block townhouses.

2.2.6 Kilbourne Comment 6

- “Further, this flexibility in interpretation by staff should be considered in conjunction with Policy 8.4.1.8 of the O.O.P. which stipulates: **The Pinecrest Part II Plan refines and complements the policies of the Part I Plan.** In instances where the Pinecrest Part II Plan is silent on matters contained in the Part I Plan, the relevant policies of the Part I Plan, as may be amended from time to time, shall likewise apply to the Pinecrest Planning Area. However, **in instances where the Pinecrest Part II Plan contains more detailed policies than the Part I Plan, such detailed policies shall be applicable. Similarly, where a list of permitted uses provided in the Pinecrest Part II Plan expands, contracts or further details uses listed in the Part I Plan, permitted uses shall be those listed in the Part II Plan.**”

Staff Response:

The policies of the Pinecrest Part II Plan have not been refined such to prevent smaller single detached dwellings, semi-detached dwellings or block townhouses from being permitted in the Low Density Residential designation if the density provisions are complied with.

Staff acknowledge that the Pinecrest Part II Plan does identify areas for Large Lot Single Detached Dwellings, which is a refinement of the Part I Plan (O.O.P.), but, as discussed in Section 2.2.2 of this Report, this designation does not apply to the Subject Site.

Kilbourne has not identified any policies of the Part I Plan or Part II Plan that would prevent the proposed density or land uses.

2.2.7 Kilbourne Comment 7

- “Staff’s interpretation of Regional Official Plan policies and appropriate densities and their applicability to the subject development should also be reviewed and confirmed. For instance, currently the proposed site is served by DRT [Durham Region Transit] routes 916 and 423 which operate at frequencies between 20-30 minutes. This corresponds to “basic transit services” which are recommended to support densities at 22 units per hectare. While the Region has identified Harmony Road as a High Frequency Transit Corridor, nearly the entirety of the Harmony Road Corridor, south of Taunton has already been developed with “Low Density” residential development. It is not reasonable to expect that at the site level, any singular redevelopment would be expected to meet or exceed these “targets”, irrespective of the context and especially in situations where the surrounding area has not been developed or is unlikely to be significantly redeveloped to enable transit supportive densities. Further, the City of Oshawa has not yet completed a conformity exercise to assess and update the Oshawa Official Plan to bring it into conformity with the Regional Official Plan which would include refining and applying Regional policy as appropriate to specific areas and neighbourhoods within the City. Until such time as the City’s conformity exercise has been completed, including the required opportunity for public consultation and input, the policies of the existing in force and effect OOP continue to be applicable and guide development in the City.”

Staff Response:

- a) The current Durham Regional Official Plan identifies Harmony Road as a Regional Corridor and a High Frequency Transit Network corridor. Regional Corridors form the key connections between Centres and are considered the main arteries of the Region's urban structure. They provide for the movement of people and goods between Centres to support their vitality. Development adjacent to a High Frequency Transit Network corridor shall, among other matters, provide for complementary higher density uses at an appropriate scale and context in accordance with the Region's policies for Regional Corridors. O.P.A. 179 updated the O.O.P. to implement the policies of the Durham Regional Official Plan, which included designating Harmony Road as a Regional Corridor and a Regional Transit Spine. The Region adopted a new official plan (Envision Durham) on May 17, 2023 and it is currently with the Ministry of Municipal Affairs and Housing for approval. As such, the current Regional Official Plan is still in effect and the O.O.P. is consistent with it. Envision Durham encourages higher density developments along Regional Corridors and along High Frequency Transit Networks to support compact communities and efficient transit service. The minimum density target along High Frequency Transit Networks is 45 dwelling units per hectare.
- b) The Region of Durham Planning and Economic Development Department has stated that development proposals along Regional Corridors such as Harmony Road must be at higher densities and support an overall long term density of at least 60 units per gross hectare (24 units/gross acre). The Region also has stated that, since this proposed development is only 32.15 units per hectare, it is important for the City to encourage future developments for other sites along Harmony Road that support higher-density mixed-use developments in order to make up for the shortfall represented by the development at the Subject Site.
- c) Harmony Road North is expected to continue to intensify in areas north of Taunton Road East, particularly in the Kedron Planning Area (north of Conlin Road East) and within the northern part of the Taunton Planning Area (between Coldstream Drive and Conlin Road East).
- d) Kilbourne suggests that a bus on the 423 and 916 Durham Region Transit (D.R.T.) routes currently passes the Subject Site every 20-30 minutes (2 to 3 times per hour). However, this is not accurate. The 423 bus passes the Subject Site every 30 minutes, and the 916 Pulse bus passes the Subject Site every 20 minutes. This produces 5 buses per hour or a frequency of every 12 minutes on average, not 20 to 30 minutes.
- e) Kilbourne appears to be suggesting that portions of the Harmony Road corridor will not be able to achieve transit-supportive densities and therefore it is not reasonable to redevelop any lands within the corridor. However, in staff's opinion, the lack of intensification opportunities in other areas along the corridor demonstrates the importance of developing available lands at suitable densities to support transit use.

2.2.8 Kilbourne Comment 8

- "Whereas Section 9.15 of the O.O.P. allows for the City to require a peer review of studies with the cost to be borne by the applicant, it is recommended that Council request a peer review of the Transportation Study be undertaken prior to approving the proposed

development, based on the significant concerns raised related to the transportation analysis.”

Staff Response:

A peer review is an option the City can always pursue. However, both the City and the Region have in-house expertise in traffic engineering. The City’s Engineering Services and the City’s Community and Operations Services department have reviewed the reports and have no issues. As well, the Regional Works professional transportation engineering staff have also extensively reviewed the proposal and traffic reports. On the basis of this review, no apparent need to have an external transportation expert review the project on behalf of the City was identified.

2.2.9 Kilbourne Comment 9

- “As the applicant is not requesting an Official Plan Amendment as part of their applications, it is imperative that conformity be demonstrated with the approved, in force and effect O.O.P. and Pinecrest Part II Plan Policies in order for Council to approve a Zoning By-law Amendment and all other associated applications, which are required to be in conformity with the OOP.”

Staff Response:

Report ED-24-42 outlines this Department’s opinion on the planning merits of the applications and their conformity with the O.O.P. In this regard, for the reasons outlined in Report ED-24-42, staff is of the opinion that conformity has been appropriately demonstrated.

2.3 Karim Transportation Comments

The commentary from Karim is set out below together with a staff response. These responses were prepared in consultation with GHD, a professional consulting company with transportation engineering expertise retained by the applicant, and takes into account comments provided throughout the application review process by the Region of Durham, which has jurisdiction over Harmony Road North.

2.3.1 Karim Comment 1

“Harmony Road Access: Full access on Harmony Road should be able to accommodate the site-generated traffic proposed by this development. The proposed access location is over 400 meters from the nearest traffic signal from Grand Ridge Avenue, and the site’s frontage on Harmony Road is relatively flat, making full access likely feasible for accommodating development traffic on/from Harmony Road.”

Staff Response:

A full moves access on Harmony Road North would be able to accommodate the proposed site-generated traffic volumes. However, the volume of potential traffic is not the issue preventing the approval of a direct access to Harmony Road North. In their response to City staff, Regional staff noted that the proposed access does not comply with the Region’s entranceway policy and access spacing guidelines for Harmony Road North, given its

classification as a Type “A” Arterial Road. They concluded that most of the turning movements at the proposed access would present an unacceptable risk of collisions given the existing volumes, vehicle speed, road geometry and sight distance conditions on the adjacent section of Harmony Road North. Given these findings, the Region would only be able to support a right-out movement and a right-in movement with a deceleration lane. However, these turning movements are already available via Pinecrest Road with minimal impact.

2.3.2 Karim Comment 2

“Northbound Traffic Distribution: The GHD study assumed that the majority of future site or background traffic would be directed towards the northbound direction. However, given that the majority of trip destinations are towards the southbound direction and with access to Highway 401 located south of the site, most vehicle traffic should be destined southward, not northward. The GHD study should be revised to reflect the true nature of traffic destination demands across the city.”

Staff Response:

The most recent version of the GHD traffic study reviewed the distribution of site-generated traffic and revised it to propose that just over 50% of the site trips are assigned to the north of the Subject Site. This was based on a review of the existing volumes of traffic on Harmony Road North which has slightly higher volumes travelling northbound during the morning and afternoon peak hours. This was consistent throughout the day where more traffic was heading north than south on Harmony Road North.

2.3.3 Karim Comment 3

“Traffic Infiltration: Due to limited options for left-turns from Harmony Road, the majority of left-turns will likely occur at the traffic signal at Grand Ridge Avenue/Harmony Road. These left-turning vehicles will use several local roads (such as Swiss Heights, Pinecrest Road, etc.) to access the site. The impact of traffic infiltration was not analyzed in the GHD traffic study.”

Staff Response:

The impact of traffic infiltration was not analyzed in the GHD traffic study due to the low volume of traffic on the local roads and the low volume of traffic that would be generated by the proposed development. The development is expected to generate a maximum of 23 one-way trips to the local road network or one vehicle on average every two minutes. Pinecrest Road has a maximum of 10 one-way trips during the peak hour while Swiss Height has a maximum of approximately 14 one-way trips during the peak hour. Combined with the maximum one-way site traffic, the future maximum combined volumes on Pinecrest Road or Swiss Height is approximately one vehicle every 1.5 to 2 minutes during the peak hour. For the rest of the day it is much lower.

2.3.4 Karim Comment 4

“Right-of-Way Constraints: Despite Pinecrest Road having a 20-meter right-of-way per Official Plan, the actual space available for vehicular and pedestrian traffic will be significantly narrower due to elevation differences along the segment between Harmony Road and Pinecrest Road. The presence/need of multiple retaining walls, grading requirements, cross-

slope issues, and widening needs will pose serious challenges when applying City engineering standards during the detailed design stage. No detailed design for this segment of Pinecrest Road and access was provided to confirm these constraints.”

Staff Response:

The pavement width on Pinecrest Road will not be impacted by the proposed development. The north boulevard of Pinecrest Road adjacent the Subject Site will be reconstructed and urbanized with a new sidewalk leading to the development. Detailed design of the access will be completed to the satisfaction of the City.

2.3.5 Karim Comment 5

“Distance from Harmony Road to Pinecrest Access: The proposed Pinecrest access is approximately 30-35 meters from the stop bar at Harmony Road. However, when accounting for clear intersection distance (including "no stopping" restrictions and intersection clearance etc.), this distance reduces to roughly the length of two regular vehicles or one large vehicle. Such proximity from a major street like Harmony Road could lead to queuing, conflict, and other traffic operation and safety issues.”

Staff Response:

Future traffic volumes on Pinecrest Road at Harmony Road North amount to 13 right turns during the morning peak hour (one vehicle every 4.5 minutes) and 8 during the afternoon peak hour (one vehicle every 7.5 minutes) on average. The 95th percentile queue length is one vehicle during either peak hour. There is no anticipated queue that would extend to the site access and block access to the site.

2.3.6 Karim Comment 6

“Proximity to Curvature: Geometric design guidelines generally recommended to avoid placing new access points close to road curvature. The proposed Pinecrest access is located only a few meters away from a sharp horizontal curvature (nearly a 90-degree bend), which poses risks such as sightline issues, visibility challenges, sideswipe risks, and potential head-on collisions once the new access is installed.”

Staff Response:

The latest GHD traffic study included a sightline assessment of the Pinecrest Road driveway access which demonstrated sufficient sightlines based on the operation of the road and low volumes. The professional transportation engineering staff in this Department reviewed the assessment and agreed with its conclusions.

2.3.7 Karim Comment 7

“Left Turn at Pinecrest Road Access: The GHD study suggested that right-turning vehicles from Harmony Road should immediately turn left at the Pinecrest access. This close back-to-back turning proximity, coupled with insufficient space for left-turn vehicle storage (especially for larger design vehicles), could block eastbound traffic and increase collision risks at the proposed Pinecrest access.”

Staff Response:

Future traffic volumes along Pinecrest Road and at the site access confirmed that the access would operate with acceptable delays and queuing. Inbound volume at the Pinecrest Road access is estimated at one vehicle every 5 to 6 minutes during the afternoon peak hour, and the remaining inbound trips will be right turns. Opposing through volumes on Pinecrest Road to the left-in from Pinecrest Road is 7 vehicles during the morning peak hour and 4 vehicles during the afternoon peak hour. There is expected to be no delay to the inbound left turns to the Subject Site.

2.3.8 Karim Comment 8

“Turning Vehicle Constraints: Apart from left-turning vehicles entering the Pinecrest access, outbound turning vehicles (particularly larger ones) will encounter minimal buffer space between oncoming vehicles, pedestrians at corners, or cyclists on Pinecrest Road. This condition often leads to increased ‘vehicle mounting’ incidents, posing serious collision risks to vulnerable road users, including seniors. The swept path analysis provided in the GHD report did not account for street curbs (particularly the south curb), leaving the true impact of large vehicles unknown.”

Staff Response:

The largest design vehicle expected to access the development on a regular basis is a waste collection truck or single axle delivery truck. In most cases these trucks will be on the road during the off peak hours where traffic volumes on Pinecrest Road are even less than one vehicle every 4 to 8 minutes during the hour. The expected interaction between pedestrians, cyclists and vehicles at the Pinecrest Road access are expected to be minimal. The section of Pinecrest Road between the site access and Harmony Road North will also have a pedestrian sidewalk on the north side, eliminating the risk of pedestrians and vehicles interacting once a vehicle turns right out of the site access.

2.3.9 Karim Comment 9

“Pedestrian Safety Issues: The proposed pedestrian sidewalk on the north side of Pinecrest Road seems to be situated too close to the property line, leaving little to no safety buffer for a maintenance strip and safety distance behind the sidewalk. Additionally, the grass boulevard between the sidewalk and curb on Pinecrest Road features a steep slope exceeding provincial maximum boulevard slope standards, posing additional risks to pedestrians. The downward slope and ramp at the northeast corner of Harmony Road and Pinecrest Road, where two sidewalks intersect, present grading challenges and could hinder accessibility standards, increasing slip-and-fall risks—especially during winter.”

Staff Response:

The new Pinecrest Road sidewalk in the north boulevard will be required to be designed and constructed to meet the City’s design standards. A certain amount of regrading of the boulevard may be required to accommodate the sidewalk and boulevard slopes that satisfy City criteria.

Karim Comment 10:

“Bicycle Safety Issues: The pavement width along the site's frontage on Pinecrest Road is approximately 6 meters, which is too narrow for cyclists to ride adjacent to vehicle traffic safely. Widening the pavement to accommodate cyclists would face elevation difference issues along the segment between Harmony Road and Pinecrest Road. Furthermore, conflicts with turning vehicles at the Pinecrest access would increase risks for bicycle users.”

Staff Response:

This is an existing condition and the interaction between cyclists and vehicles is only slightly increased with the additional traffic expected on Pinecrest Road and Swiss Height. During peak traffic there would be one vehicle every 1.5 minutes which produces little risk to cyclists using the local roads.

2.4 Harmony Road North Driveway Access

Section 4.2.3 of Report ED-24-42 outlines the options explored with the Region to provide a full movement driveway access directly on Harmony Road North for the proposed development.

The Region will allow a right-out driveway access since it would not conflict with other vehicle movements on Harmony Road North.

The Region will not allow a right-in driveway access unless a deceleration lane is constructed in the Harmony Road North boulevard in front of the Subject Site on the approach towards the driveway to allow drivers to slow down in a separate lane from northbound through traffic. Introducing such a design feature would likely necessitate the removal of a minimum of 2 street trees and preclude the planting of 4 new boulevard trees.

In order to allow right-in or right-out driveway access, the median in Harmony Road North would need to be extended northerly to the intersection of Swiss Height. The purpose is to prevent left turn movements into or out of the driveway.

The Region was also requested to investigate additional options for alternative turning movements for the Subject Site on Harmony Road North, including possibly traffic signals. These options would likely involve the partial or full closure of the Swiss Height access to Harmony Road North. The closure of Swiss Height at Harmony Road North would have traffic implications for existing residents, as it would divert some drivers to Grand Ridge Avenue that would have otherwise used the Swiss Height intersection. At the time of writing of this report, the Region has not provided a response on these options.

If a driveway access to Harmony Road North was provided, it does not necessarily rule out a potential driveway on Pinecrest Road.

In the hypothetical situation that the contextual constraints associated with the subject section of Harmony Road North did not exist, if vehicular access to the proposed development was limited only to a Harmony Road North driveway, it would divert a maximum of 24 vehicles during the morning peak hour and 39 vehicles during the afternoon peak hour from using the

35 metre stretch of Pinecrest Road between Harmony Road North and the Pinecrest Road driveway.

Direct driveway access to Harmony Road North would have other site design implications for the development. Specifically, the size of the parkette would be reduced substantially, 833 Swiss Height would have a driveway directly behind their property, and the driveway/deceleration lane would remove existing street trees on Harmony Road North.

If the development is ultimately approved with driveway access on Pinecrest Road, the City could consider removing permission for on-street parking on certain portions of Pinecrest Road near Harmony Road North and the driveway access to prevent drivers from parking on this stretch of the road.

3.0 Recommendation

1. That, pursuant to Report CNCL-24-46 dated April 23, 2024, the revised application submitted by Icon Harmony Limited to amend Zoning By-law 60-94 (File: Z-2022-11) to rezone 1081 and 1093 Harmony Road North and 836 Pinecrest Road from R1-A (Residential) to an appropriate R2 (Residential) zone to permit the development of 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings 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 the City Solicitor.
2. That, pursuant to Report CNCL-24-46 dated April 23, 2024, the revised application submitted by Icon Harmony Limited for approval of a draft plan of subdivision (File: S-O-2022-04) which proposes a block for single detached dwellings, semi-detached dwellings and block townhouses and a road widening block at 1081 and 1093 Harmony Road North and 836 Pinecrest Road be approved, and that the Commissioner of Economic and Development Services or Director of Planning Services be authorized to impose City conditions in the draft plan of subdivision approval Planning Act decision.
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law amendment proposed in Report ED-23-10 dated January 4, 2023, presented at the public meeting of January 9, 2023, differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 1 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.



Anthony Ambra, P.Eng., Commissioner
Economic and Development Services Department

DS/k

Attachments

Public Report

To: Economic and Development Services Committee

From: Anthony Ambra, P.Eng., Commissioner,
Economic and Development Services Department

Report Number: ED-24-42

Date of Report: April 3, 2024

Date of Meeting: April 8, 2024

Subject: Revised Applications to Amend Zoning By-law 60-94 and for
Approval of a Draft Plan of Subdivision, Icon Harmony Limited,
1081 and 1093 Harmony Road North and 836 Pinecrest Road

Ward: Ward 3

File: Z-2022-11, S-O-2022-04

1.0 Purpose

The purpose of this Report is to provide a recommendation on the revised applications submitted by Icon Harmony Limited (the “Applicant”) to amend Zoning By-law 60-94 (File: Z-2022-11) and for approval of a draft plan of subdivision (File: S-O-2022-04) to permit 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings on lands municipally known as 1081 and 1093 Harmony Road North and 836 Pinecrest Road (the “Subject Site”).

The Applicant intends to register the proposed development as a common elements draft plan of condominium pursuant to File: C-O-2022-07.

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 Schedule “A”, Pinecrest Land Use and Road Plan, from the Pinecrest Part II Plan showing the location of the Subject Site.

Attachment 3 is a copy of the original proposed site plan submitted by the Applicant and considered at the January 9, 2023 public meeting.

Attachment 4 is a copy of the revised proposed site plan submitted by the Applicant to address certain public and technical comments.

Attachment 5 is a copy of the original proposed draft plan of subdivision (File: S-O-2022-04) submitted by the Applicant and considered at the January 9, 2023 public meeting.

Attachment 6 is a copy of the revised proposed draft plan of subdivision (File: S-O-2022-04) submitted by the Applicant to address certain technical comments.

A public meeting was held on January 9, 2023 concerning the subject development applications. At the conclusion of the public meeting, the Economic and Development Services Committee adopted a recommendation to direct staff to further review the subject applications and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. The minutes of the January 9, 2023 public meeting form Attachment 7 to this Report.

Subsequent to the January 9, 2023 public meeting, the Applicant revised the subject development proposal. The key differences between the original proposal considered at the public meeting (see Attachment 3) and the revised proposal (see Attachment 4) are as follows:

- (a) The total number of dwelling units has increased from 73 to 78. The number of single detached dwellings has decreased from 36 to 33. The number of semi-detached dwellings has increased from 22 to 24. The number of block townhouse dwellings has increased from 15 to 21.
- (b) The number of proposed single detached dwelling lots located around the perimeter of the site abutting the existing neighbourhood has been reduced from 36 to 33.
- (c) The original site design proposed a driveway access on Pinecrest Road and an emergency access only on Harmony Road North. In response to concerns from the existing neighbourhood with respect to traffic impacts, the Applicant subsequently revised the site design in an attempt to make the driveway on Harmony Road North an open full movement driveway access. Ultimately, it was determined that the road geometry and sight distance conditions along the adjacent segment of Harmony Road North render most turning movements from this access unsafe. The development does not require an emergency access or more than one driveway access. The Applicant is now proposing a single driveway access for the proposed development, which will be located on Pinecrest Road.
- (d) The area of the common outdoor amenity area (parkette) has been expanded, incorporating additional space at the northwest corner of the Subject Site previously occupied by the emergency access. The size of the private parkette has increased from 458 square metres (4,929.87 sq. ft.) to 686 square metres (7,384.04 sq. ft.).
- (e) The visitor parking rate has been increased from 0.23 spaces per unit to 0.25 spaces per unit (20 visitor parking spaces in total).
- (f) The original proposal requested a maximum building height of 11 metres (36.08 ft.) for all single detached dwellings, semi-detached dwellings and block townhouses. The Applicant subsequently revised the proposal to request a maximum building height of 9 metres (29.52 ft.) for twenty of the proposed single detached dwellings (i.e. Lots 1 to 11 and 25 to 33 as shown on Attachment 4) and a maximum building height of 11 metres (36.08 ft.) for the front wall facing the internal private road and a maximum height of 9 metres (29.52 ft.) (2 storeys) for the rear wall facing the rear lot line for the

remaining thirteen single detached dwellings (i.e. Lots 12 to 24 as shown on Attachment 4). Further, the Applicant has reduced the proposed height of all semi-detached dwellings to 9.50 metres (31.17 ft.) (2 storeys), and increased the proposed height of all block townhouses to 11.75 metres (38.55 ft.) measured on the exterior of the west side of the building facing Harmony Road North and 11.25 metres (36.91 ft.) measured on the east side of the building facing the internal private road.

- (g) The net site area of Block 1 in the draft plan of subdivision has increased from 2.342 hectares (5.79 ac.) to 2.426 hectares (5.99 ac.). This change is a result of a reduction in the width of the road widening conveyance required by the Region of Durham along the frontage of Harmony Road North.

2.0 Recommendation

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

1. That, pursuant to Report ED-24-42 dated April 3, 2024, the revised application submitted by Icon Harmony Limited to amend Zoning By-law 60-94 (File: Z-2022-11) to rezone 1081 and 1093 Harmony Road North and 836 Pinecrest Road from R1-A (Residential) to an appropriate R2 (Residential) zone to permit the development of 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings 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 the City Solicitor.
2. That, pursuant to Report ED-24-42 dated April 3, 2024, the revised application submitted by Icon Harmony Limited for approval of a draft plan of subdivision (File: S-O-2022-04) which proposes a block for single detached dwellings, semi-detached dwellings and block townhouses and a road widening block at 1081 and 1093 Harmony Road North and 836 Pinecrest Road be approved, and that the Commissioner of Economic and Development Services or Director of Planning Services be authorized to impose City conditions in the draft plan of subdivision approval Planning Act decision.
3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law amendment proposed in Report ED-23-10 dated January 4, 2023, presented at the public meeting of January 9, 2023, differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 1 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 Zoning By-law 60-94, as amended, and for approval of a draft plan of subdivision to permit the development of 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings at 1081 and 1093 Harmony Road North and 836 Pinecrest.

The Applicant and Department staff, working with the Region of Durham, attempted to find ways to minimize the need for vehicular traffic to and from the proposed development to

drive through the existing surrounding neighbourhood. However, due to the design and characteristics of the adjacent sections of Harmony Road North and Pinecrest Road, it was not possible to implement alternative driveway access designs.

The proposal represents an infill residential development with a density and built form that is appropriate given the locational context of the Subject Site, which is at the periphery of a neighbourhood abutting an arterial road designated as a Regional Corridor and a Regional Transit Spine, and can be designed to be compatible with the surrounding residential uses. The proposed interface between the surrounding existing residential development and the proposed new residential development is appropriate. The proposed block townhouses are located adjacent to the westerly limit of the Subject Site abutting Harmony Road North rather than adjacent to any existing residential properties.

The proposed development conforms to the Provincial Growth Plan, is consistent with the Provincial Policy Statement, conforms to the Durham Regional Official Plan and Oshawa Official Plan, is within the City's Built Boundary and represents good planning. The proposed development will help the City's efforts to achieve the delivery of 23,000 new housing units in Oshawa between 2022 and 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 9, 2023 public meeting concerning the subject applications form Attachment 7 to this Report. Several letters were also received from the public with respect to the subject applications containing comments and expressing objections to the applications.

On August 16, 2023, City staff coordinated a meeting between the Applicant and three members of the Maxwell Heights Neighbourhood Association to discuss changes to the site plan resulting from comments on the first submission and concerns from the neighbourhood.

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

4.2.1 Conformity to the Pinecrest Part II Plan

Comment:

Comments were made concerning the need for an amendment to the Pinecrest Part II Plan (official plan amendment) based on the proposed density and housing type/form of the proposed development.

Staff response:

The lands subject to the revised applications are designated Low Density Residential on Schedule 'A' of the Pinecrest Part II Plan.

The Low Density Residential designation generally permits a maximum net residential density of up to 30 units per hectare (12 u/ac.), as outlined in Table 2 of the Oshawa Official Plan (the "O.O.P."). The density of the revised proposal is 32.15 units per hectare (13.02 u/ac.).

Policy 10.1.2(a) of the O.O.P. states, in part, that with the exception of floor space indices, all numbers and quantities shown in the O.O.P. are approximate and that minor changes to such numbers and quantities will be permitted without amendment provided that such changes do not affect the intent of the O.O.P. Therefore, the densities outlined in Table 2 of the O.O.P. are not fixed limits for the given density category, but rather provide a guideline in evaluating development proposals. The difference between 30 units per hectare and 32.15 units per hectare is minor and can be considered to still be consistent with the Low Density Residential Category and therefore the intent of the O.O.P.

Table 2 of the O.O.P. also provides descriptions of the general representative housing type/form for each density type. Low Density Residential development has the general representative housing type/form of single detached dwellings, semi-detached dwellings and duplexes. In the footnote associated with Table 2, the O.O.P. acknowledges that these descriptions represent only the anticipated housing forms for the density categories specified in the Table, and that differences in building design, site specifications and lot area may produce considerable variation in housing type at any given density. On this basis, the housing form of the proposed development, which consists of single detached and semi-detached dwellings in the interior of the lot and block townhouse dwellings fronting Harmony Road North, is consistent with the O.O.P. guidance for the Low Density Residential designation in the Pinecrest Part II Plan.

A built example of how townhouse form development can be consistent with Low Density Residential development is the block townhouse development at 1640 Grandview Street North. The site is designated Low Density Residential in the Taunton Part II Plan and is developed with 47 townhouse units. The site is approximately 1.5 hectares (3.7 ac.) in size, which yields a density of 31.3 units per hectare (12.7 u/ac.). This density is generally consistent with the Low Density Residential designation despite consisting entirely of block townhouse units.

For comparison, the 79 block townhouses at Harmony Road North and Missom Gate have a combined density of 60.8 units per hectare (24.6 u/ac.), the 56 block townhouses at

Phillip Murray Avenue and Park Road South have a density of 54.15 units per hectare (29.1 u/ac.), the 212 block townhouses at Harmony Road South and Taylor Avenue have a density of 46.6 units per hectare (11.2 u/ac.), and the 38 block townhouses at 1280 Harmony Road North have a density of 43.4 units per hectare (17.6 u/ac.).

4.2.2 Compatibility with the Surrounding Neighbourhood

Comment:

Comments were made concerning compatibility between the built form of the proposed development and the surrounding neighbourhood.

Staff response:

The proposal features 33 single detached dwellings located along the northern, eastern and southern limits of the Subject Site abutting the existing residential neighbourhood, 24 semi-detached dwellings situated within the interior of the Subject Site, and 21 block townhouse dwellings located along the western limit of the Subject Site fronting Harmony Road North.

Harmony Road North is classified as a Type "A" Arterial Road. The policies of the Provincial Growth Plan, Durham Regional Official Plan and the O.O.P. encourage appropriate residential intensification along arterial roads.

Harmony Road North is designated as a Regional Corridor and a Regional Transit Spine in the O.O.P. It is also identified as part of the High Frequency Transit Network in the new Durham Regional Official Plan (Envision Durham), which was adopted by Regional Council on May 17, 2023 and is currently with the Ministry of Municipal Affairs and Housing for approval. Envision Durham encourages higher density developments along Regional Corridors and along High Frequency Transit Networks to support compact communities and efficient transit service. The minimum density target along High Frequency Transit Networks is 45 dwelling units per hectare. A development proposal having a density of 45 units per hectare at the Subject Site would produce approximately 109 units (39.7% more units than currently proposed). With only 78 units, yielding a density of 32.15 dwelling units per hectare, the density of the proposed development is lower than this minimum target. Notwithstanding this, the Region of Durham is supportive of the proposed development as it generally conforms to the current in-force Durham Regional Official Plan and provides a range of housing types that would be complementary with the surrounding low-density community.

Staff note that all of the proposed single detached dwellings along the perimeter of the site abutting existing housing feature a minimum rear yard depth of 7.50 metres (24.61 ft.), which complies with the existing zoning. The maximum height of the single detached dwellings measured at the wall facing the rear lot line is 9 metres (29.52 ft.), reflective of a two-storey condition.

4.2.3 Traffic Impacts

Comment:

Comments were made concerning the impact of the proposed development on vehicular traffic in the area, as well as the adequacy of the study methods used to prepare the Traffic Impact Study ("T.I.S.") submitted in support of the applications.

Staff response:

Harmony Road North is designated as a Type "A" Arterial Road on Schedule 'B', Road Network, of the O.O.P. Pinecrest Road, Swiss Height and Grand Ridge Avenue (east of Harmony Road North) are all local roads.

Type "A" Arterial Roads are intended to carry high volumes of traffic, including high volumes of truck traffic. Harmony Road North is under the jurisdiction of the Region of Durham. Local roads are intended to collect light volumes of traffic moving between points of origin and the collector road system and arterial roads.

The revised proposal features a full movement driveway access on Pinecrest Road only, with no direct access on Harmony Road North.

An additional driveway access is only required where the furthest point on a private road or public road is greater than 250 metres (820.21 ft.) from a single access point. In this case, the furthest point on the private road from the driveway access on Pinecrest Road is approximately 230 metres (754 ft.). Consequently, only one driveway is required for emergency service access. The site design complies with the City's private road design standards including minimum private road width and radii for fire truck access, minimum building setbacks from the fire route (private road), and Fire Route/No Parking signs posted alongside the entire private road.

The intersection of Harmony Road North and Pinecrest Road permits right-in and right-out movements only. Drivers exiting the proposed development that wish to travel southbound on Harmony Road North would have to drive east along Pinecrest Road through the existing neighbourhood to access intersections that permit left turns onto Harmony Road North (Swiss Height or Grand Ridge Avenue). Alternatively, they could exit onto Pinecrest Road, turn right onto northbound Harmony Road North, turn onto Taunton Road East and then turn south on another arterial road such as Ritson Road North or Grandview Street North.

Southbound drivers on Harmony Road North intending to access the proposed development would have to turn left onto Swiss Height or Grand Ridge Avenue and then access the site via Pinecrest Road.

The Applicant hired GHD, a professional consulting company with transportation engineering expertise, to prepare a Transportation Impact Study ("T.I.S.") which was

submitted in support of the revised applications. The key findings and conclusions of the T.I.S. are as follows:

- The proposed development is expected to generate a total of 49 new two-way vehicle trips during the weekday morning peak hour traffic period consisting of 13 inbound trips and 36 outbound trips, and 61 new two-way vehicle trips during the weekday afternoon peak hour traffic period consisting of 37 inbound trips and 24 outbound trips.
- The T.I.S. describes the existing vehicle trips on the area’s roads in 2024. The T.I.S. also describes the vehicle trips generated by the proposed development and the projected combined total vehicle trips based on the completed proposed development. This data is summarized in the following table:

Peak Hour Period Turning Movement	2024 Vehicle Trips	2024 Vehicle Trips Including Subject Site Development	Difference as a result of Subject Site Development
Morning peak hour right turn from northbound Harmony Road North onto Pinecrest Road	10	14	4*
Afternoon peak hour right turn from northbound Harmony Road North onto Pinecrest Road	4	18	14*
Morning peak hour right turn from Pinecrest Road onto northbound Harmony Road North	6	26	20*
Afternoon peak hour right turn from Pinecrest Road onto northbound Harmony Road North	3	18	15*
Morning peak hour right turn from northbound Harmony Road North onto Swiss Height	3	3	0
Afternoon peak hour right turn from northbound Harmony Road North onto Swiss Height	10	10	0
Morning peak hour right turn from Swiss Height onto northbound Harmony Road North	4	4	0
Afternoon peak hour right turn from Swiss Height onto northbound Harmony Road North	11	11	0
Morning peak hour left turn from Swiss Height onto southbound Harmony Road North	6	22	16

Peak Hour Period Turning Movement	2024 Vehicle Trips	2024 Vehicle Trips Including Subject Site Development	Difference as a result of Subject Site Development
Afternoon peak hour left turn from Swiss Height onto southbound Harmony Road North	3	12	9
Morning peak hour left turn from southbound Harmony Road North onto Swiss Height	6	15	9
Afternoon peak hour left turn from southbound Harmony Road North onto Swiss Height	8	31	23

- The additional vehicle trips indicated with an asterisk (*) are trips for which the driver would only be travelling on Pinecrest Road between Harmony Road North and the Subject Site’s driveway (i.e. the driver would only be driving on Pinecrest Road for approximately 35 metres). This represents approximately half of all trips generated by the proposed development.
- Traffic generated by the Subject Site will have a nominal impact on the operation of the surrounding study area intersections with respect to capacity, delays and queueing. No intersection improvements are required within the study area to accommodate traffic generated by the development.

Professional traffic engineering staff at both the City and the Region of Durham reviewed the T.I.S. and have no objections to the methodology or the key conclusions noted above with respect to a single driveway access on Pinecrest Road.

The initial applications received by staff in November 2022 and considered at the January 9, 2023 public meeting (see Attachment 3) proposed a full turning movement driveway access on Pinecrest Road and an emergency vehicle access only on Harmony Road North. The Region would allow an emergency access on Harmony Road North. However, the City’s Fire Services does not support new permanent emergency accesses.

In response the neighbourhood’s concerns about the potential impact of traffic generated by the proposed development on local roads, the Applicant’s second submission (received in June 2023) redesigned the northwest corner of the Subject Site in an attempt to provide a full movement driveway access on Harmony Road North.

Between June 2023 and January 2024, the City, Region and the Applicant worked collaboratively to assess the feasibility of the proposed full movement driveway access on Harmony Road North. In support of the revised access the Applicant submitted a sightline assessment prepared by GHD. Ultimately it was determined by the Region that the road geometry and sight distance conditions, combined with the existing traffic volumes and speeds on the arterial road, lack of appropriate left turn lane width south of Swiss Height, lack of a left turn refuge lane within Harmony Road North, and proximity of the potential

driveway to the Swiss Height intersection render all turning movements directly to or from Harmony Road North unsafe for drivers except right-out turns. Because future residents will be able to turn right onto Harmony Road North from Pinecrest Road, providing an additional right-out only access on Harmony Road North would not reduce traffic through the neighbourhood.

Between January 2024 and March 2024, at the request of City staff, the Region of Durham assessed the feasibility of providing a signalized intersection at Harmony Road North and Pinecrest Road to reduce potential traffic through the neighbourhood. Through this assessment it was determined that the necessary sightlines for a signalized intersection are not available for northbound traffic and would result in an increased risk of rear-end and turning movement collisions at the proposed signal. Constructing a signalized intersection at this location would also require widening Harmony Road North on both approaches to accommodate a left turn lane and a divisional island. This would be technically challenging and very costly given the steep slopes on both sides of Harmony Road North in the area and the need to relocate utility poles, potentially install a guiderail system and construct new retaining walls. Furthermore, the spacing of the proposed signalized intersection does not comply with the Region of Durham's guidelines for signalized intersections on Type "A" Arterial Roads [700m (2,297 ft.)] and would result in traffic delays on Harmony Road North. For these reasons, a signalized intersection at Harmony Road North and Pinecrest Road is not feasible, and not supported by the Region.

Between January 2024 and February 2024, at the request of City staff, the Region of Durham also assessed the feasibility of providing protected signalized advance U-turns on Harmony Road North at each of the signalized intersections at Beatrice Street East and Grand Ridge Avenue to reduce traffic through the neighbourhood by providing an intentional U-turn option for drivers driving to or from the Subject Site. To accommodate protected U-turns, both signalized intersections would need to be widened to include a third receiving lane to provide sufficient space for the U-turn movement to happen in a single stage. Otherwise, a three-point turn may be required at the end of the movement for many vehicles, which would block the intersection and create an unsafe condition. Widening the road would require the relocation of utility poles and the acquisition of property. Implementing a split phase signal is not feasible due to the excessive traffic delays on Harmony Road North that would occur as a result. For these reasons, advance protected U-turns cannot be provided at these intersections, and are not supported by the Region.

Lastly, between January 2024 and February 2024, Traffic and Streetlighting Services investigated the feasibility of a directional closure on Pinecrest Road to prevent traffic exiting the proposed development from traveling east through the neighbourhood. The Oshawa Neighbourhood Traffic Management Guide defines a directional closure as a curb extension or barrier which extends to the centerline of a road to prohibit traffic in one direction of travel for the purpose of reducing traffic volume. The proposed directional closure would prevent drivers exiting the proposed development from travelling east through the existing neighbourhood; drivers would only be able to exit the development and travel west directly to Harmony Road North. Westbound traffic along Pinecrest Road would be uninterrupted by the directional closure.

It was determined that the directional closure would create a safety risk as the low volume of traffic on Pinecrest Road will encourage drivers to disobey the closure by driving around it in the opposite lane, which has reduced visibility due to the horizontal and vertical curve of Pinecrest Road at this location. The directional closure would also inconvenience existing residents residing beyond the closure, who would have to drive further to reach their homes, and would likely shift traffic onto other nearby streets. It was also noted that the projected peak hour traffic volumes generated by the proposed development are not significant and that Pinecrest Road and Swiss Height will be able to accommodate the increased traffic. The directional closure would have prevented 16 vehicle trips from the Subject Site during the morning peak hour and 9 trips from the Subject Site during the afternoon peak hour from driving east along Pinecrest Road, but would have added trips from the existing neighbourhood onto portions of Pinecrest Road and other streets that would not have otherwise used those roads. For these reasons, a directional closure on Pinecrest Road is not feasible.

As a result of these discussions and assessments, the Applicant has redesigned the proposal again to maintain one driveway access on Pinecrest Road with no access of any sort directly onto Harmony Road North (see Attachment 4).

The circumstances that prevent a full movement driveway on Harmony Road North exist regardless of the number of residential units or the types of units proposed in the development.

In the event the revised applications are approved, traffic calming measures in the existing neighbourhood can be explored once the proposed development is complete and speeding issues, if any, can be assessed to determine appropriate mitigation measures.

4.2.4 Parking

Comment:

Comments were made that the proposed development does not provide sufficient parking and that parking may spill onto Pinecrest Road or Swiss Height.

Staff response:

As it relates to the proposed development, Zoning By-law 60-94 requires 156 parking spaces consisting of a minimum of 2.0 parking spaces for every single detached dwelling and semi-detached dwelling and 1.65 parking spaces for every block townhouse dwelling, plus 0.35 parking spaces for every block townhouse dwelling unit (7 visitor spaces). Zoning By-law 60-94 does not require visitor parking for single detached dwellings and semi-detached dwellings.

The revised site design provides:

- 2 parking spaces per unit for 20 of the single detached dwellings;
- 4 parking spaces per unit for 13 of the single detached dwellings;
- 2 parking spaces for every semi-detached dwelling;
- 2 parking spaces for every block townhouse dwelling; and,

- 20 visitor parking spaces.

The proposal exceeds the parking requirements of Zoning By-law 60-94 by providing 202 parking spaces (46 more spaces than required). The visitor parking is intended to be used by visitors to all dwelling types and is not restricted to the visitors of the block townhouse dwellings.

4.2.5 Townhouse Basements

Comment:

Some residents expressed concern that the proposed block townhouse dwellings do not have basements, which could lead to some residents using their garage for storage rather than parking.

Staff response:

In addition to exceeding the minimum parking requirements for block townhouse dwellings, the Applicant has also incorporated additional storage space into the design of the garages.

The proposed single detached and semi-detached dwelling units contain basements.

4.2.6 Tree Removal

Comment:

Comments were made concerning the removal of trees and associated impacts on the tree canopy and wildlife.

Staff response:

In support of the revised applications, the Applicant has submitted a Tree Preservation Plan ("T.P.P."). The T.P.P. inventories all existing trees on the Subject Site and on adjacent properties near the mutual property line. The T.P.P. documents how trees along or near the property line will be preserved and protected during construction. These measures include the installation of temporary tree protection fencing prior to any demolition or works on site that shall remain until the completion of fine grading and sodding/seeding.

In support of the revised applications, the Applicant has also submitted a landscape plan illustrating where trees will be planted along the public boulevard and internal to the site in alignment with the City's policies.

It is important to note that a development in conformity with the existing zoning of the Subject Site would likely also result in the removal of the trees internal to the site.

The Central Lake Ontario Conservation Authority (C.L.O.C.A.) has reviewed the revised subject applications and has no objection the subject revised applications.

4.2.7 Pedestrian Safety

Comment:

Comments were made concerning the lack of safe pedestrian access between the proposed development and the bus stop on the west side of Harmony Road North near the intersection with Swiss Height, and the potential for conflicts between vehicles and pedestrians on Pinecrest Road and Swiss Height.

Staff response:

Harmony Road North is designated as a Type “A” Arterial Road on Schedule ‘B’, Road Network, of the O.O.P. and is under the jurisdiction of the Region of Durham. Type “A” Arterial Roads are intended to carry large volumes of traffic, including large volumes of truck traffic.

The segment of Harmony Road North between Rossland Road East and Taunton Road East was reconstructed by the Region of Durham in 2021. The reconstruction included widening the road to four lanes to increase capacity, with turning lane improvements at critical intersections.

The location of transit stops is determined by Durham Region Transit (D.R.T.). In urban areas, D.R.T. aims to provide transit stops within a 500 metre (1640.42 ft.) walk to 80% of dwellings and within an 800 metre (2624.67 ft.) walk of 95% of dwellings. These service proximity goals are noted in D.R.T.’s current Service Guidelines.

Residents of the proposed development will need to walk to/from the transit stops at the signalized intersections of Grand Ridge Avenue [approximately 430 metres (1,410 ft.)] or Beatrice Street East [approximately 400 metres (1,312 ft.)].

Pinecrest Road and Swiss Height are local roads under the jurisdiction of the City. Both roads have a rural cross section without curbs or pedestrian facilities (e.g. sidewalks). Professional traffic engineering staff at the City have reviewed the revised applications and have not identified any concerns with respect to conflicts between vehicles and pedestrians within the neighbourhood as a result of the vehicle trips generated by the proposed development. Both Pinecrest Road and Swiss Height are still expected to operate within the parameters of the local road category.

In the event the revised applications are approved, traffic calming measures can be explored once the proposed development is complete and speeding issues, if any, can be assessed to determine appropriate mitigation measures.

5.0 Analysis

5.1 Background

The Subject Site is generally located on the east side of Harmony Road North, north of Pinecrest Road, and is municipally known as 1081 and 1093 Harmony Road North and 836 Pinecrest Road (see Attachment 1).

The following is background information concerning the subject revised applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Residential	No change
Pinecrest Part II Plan Designation	Low Density Residential	No change
Zoning By-law 60-94	R1-A (Residential)	An appropriate R2 (Residential) Zone to permit the proposed development, with site specific conditions to permit certain performance standards to implement the site and building designs.
Use	Three (3) single detached dwellings	33 single detached dwellings, 24 semi-detached dwellings, 21 block townhouse dwellings on a new private road, and a road widening block.

The following land uses are adjacent to the Subject Site:

- **North** Single detached dwellings fronting onto Swiss Height
- **South** Pinecrest Road and single detached dwellings fronting onto Pinecrest Road
- **East** Single detached dwellings fronting onto Pinecrest Road
- **West** Harmony Road North, beyond which are single detached dwellings

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

Site Statistics Item	Measurement
Lot Frontage	Harmony Road North – 125.12m (410.50 ft.) Pinecrest Road – 42.96m (140.94 ft.)
Gross Lot Area (inclusive of road widening)	2.44 ha (6.03 ac.)
Net Lot Area (exclusive of road widening)	2.426 ha (5.99 ac.)
Number of Proposed Residential Units	Single Detached Dwellings – 33 Semi-Detached Dwellings – 24 Block Townhouse Dwellings – 21 Total: 78 units
Net Residential Density	32.15 u/ha (13.02 u/ac.)
Minimum Lot Frontages of the Proposed Single Detached Dwelling Lots	9m (29.53 ft.) – 20 lots 11m (36.09 ft.) – 13 lots

Site Statistics Item	Measurement
Minimum Lot Frontages of the Proposed Semi-Detached Dwelling Lots	6.5m (21.33 ft.) – 12 lots 7m (22.97 ft.) – 12 lots
Minimum Lot Frontages of the Proposed Block townhouse Dwelling Lots	5.78m (18.96 ft.) – 21 lots
Parking Spaces Required	149 spaces for residents (2.0 spaces per unit for single detached dwellings and semi-detached dwellings and 1.65 spaces per unit for block townhouse dwellings). 7 spaces for visitors (0.35 spaces per block townhouse dwelling unit). Zoning By-law 60-94 does not require visitor parking for single detached dwellings and semi-detached dwellings. Total required parking: 156
Parking Spaces Provided	182 parking spaces for residents (2 spaces per unit for 20 single detached dwellings, 4 spaces per unit for 13 single detached dwellings, 2 spaces per unit for all semi-detached dwellings, and 2 spaces per unit for all block townhouse dwellings). 20 spaces for visitors (0.25 spaces per unit) Total parking provided: 202

5.2 Oshawa Official Plan

The Subject Site is designated Residential in the O.O.P.

The O.O.P. specifies, in part, that areas designated as Residential shall be predominantly used for residential dwellings.

Schedule “A-2”, Corridors and Intensification Areas, of the O.O.P. designates Harmony Road North as a Regional Corridor. The O.O.P. specifies, in part, that development along Regional Corridors shall achieve higher density, intensive and compact built form and complementary mixed uses subject to the relevant policies of the underlying land use designation. Regional Corridors are intended to develop as ribbons of compact, intensive, higher density development along what form the key connections between Central Areas within the City and to those in abutting municipalities, and provide for the efficient movement of people and goods between the Central Areas to support their vitality. A range of residential uses at higher densities may be permitted in Regional Corridors where the underlying land use designation permits a residential development.

Harmony Road North is designated as a Type "A" Arterial Road and a Regional Transit Spine in the O.O.P. Pinecrest Road is a local road.

The subject revised applications conform to the O.O.P.

5.3 Pinecrest Part II Plan

The Subject Site is designated as Low Density Residential in the Pinecrest Part II Plan (see Attachment 2). The Low Density Residential designation generally permits a maximum net residential density of up to 30 units per hectare (12 u/ac.).

The general representative housing type/form within the Low Density Residential category generally consists of single detached, semi-detached and duplex dwellings with a density of up to 30 units per hectare (12 u/ac.), subject to general locational criteria as follows:

- (a) Generally located in the interior of residential neighbourhoods on local or collector roads, or along arterial roads subject to the policies of this Plan.
- (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 net residential density of the revised proposed development is 32.15 units per hectare (13.02 u/ac.), which is generally consistent with the Low Density Residential Designation. While the proposed development contains 21 townhouse dwellings, the proposed townhouse dwellings are located on the periphery of the Subject Site adjacent to Harmony Road North, a Regional Corridor.

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

The General Representative Housing Type/Form column heading in Table 2 includes a footnote that reads as follows:

"These descriptions represent only the anticipated housing forms for the density categories specified in this Table. It should be noted that differences in building design, site specifications and lot area may produce considerable variation in housing type at any given density. Therefore, conformity with the locational criteria for the respective density categories contained in this Table is determined primarily on the basis of net density."

The subject revised applications conform to the Pinecrest Part II Plan.

5.4 Zoning By-law 60-94

The Subject Site is currently zoned R1-A (Residential) in Zoning By-law 60-94 which permits single detached dwellings subject to compliance with various regulations. The R1-A Zone requires a minimum 7.50 metres (24.61 ft.) rear yard depth and permits a maximum building height of 9 metres (29.53 ft.).

The Applicant proposes to amend Zoning By-law 60-94 by rezoning the Subject Site from R1-A (Residential) to an appropriate R2 (Residential) Zone to permit 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings with site specific conditions to permit certain performance standards. The site specific R2 Zone regulations requested by the Applicant are as follows:

- Maximum building height of 11 metres (36.08 ft.) for the front wall facing the internal road and a maximum height of 9 metres (29.52 ft.) (2 storeys) for the rear wall facing the rear lot line for thirteen single detached dwellings (i.e. Lots 12 to 24 as shown on Attachment 4);
- Maximum building height of 9 metres (29.52 ft.) for twenty of the single detached dwellings (i.e. Lots 1 to 11 and 25 to 33 as shown on Attachment 4);
- Maximum building height of 9.50 metres (31.17 ft.) for all semi-detached dwellings;
- Maximum building height of 11.75 metres (38.55 ft.) (3 storeys) for the block townhouses facing Harmony Road North and 11.25 metres (36.91 ft.) facing the internal private road;
- Reduced landscaped open space in the front yard of the four 11 metre (36.09 ft.) wide single detached dwelling lots located on the outside of the northeasterly and southeasterly elbows of the private road;
- Reduced landscaped open space and driveway length in the rear yards of the block townhouse dwellings;
- Reduced landscaped open space in the front yard and a reduced driveway length of 5.75 metres (18.86 ft.) for semi-detached dwelling corner lots only;
- Reduced lot frontages for semi-detached dwellings;
- Reduced lot areas;
- Reduced front yard depths;
- 0.25 parking spaces per unit for visitors;
- Minimum of 2 parking spaces per block townhouse unit whereas only 1.65 spaces per unit is required;

- Minimum of 2 parking spaces per unit for single detached dwellings and semi-detached dwellings except that for twenty of the single detached dwellings, the minimum parking shall be 4 spaces per unit (i.e. Lots 1 to 11 and 25 to 33 as shown on Attachment 4);
- Minimum rear yards of all single detached dwellings and semi-detached dwellings will be 7.50 metres (24.61 ft.).

This Department has no objection to rezoning the Subject Site to an appropriate R2 (Residential) Zone subject to a special condition to permit the single detached dwellings, semi-detached dwellings and block townhouses with regulations to implement the proposed building/site design.

This Department recommends that an “h” holding symbol be applied to the zoning of the Subject Site which would restrict development until such a time as:

- a) Site Plan Approval is obtained from the City that addresses such matters as landscaping, fencing, lighting, amenity area design and tree preservation;
- b) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm, foundation drainage and transportation services and facilities to serve this development; and,
- c) Noise mitigation has been addressed to the satisfaction of the City.

While the “h” holding symbol is in effect, only uses permitted in an R1-A Zone and a temporary sales office would be permitted.

Section 5.7 of this Report sets out the rationale for this position.

5.5 Subdivision and Condominium

5.5.1 Standard Condominium versus a Common Elements Condominium

The Condominium Act, 1998 permits four different types of condominiums: common elements, phased, vacant land and leasehold. The Applicant is proposing to establish a common elements condominium for the proposed 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings.

To implement a common elements condominium, a declaration is registered which converts certain lands into common elements that are owned in common by the owners of specified freehold lands situated in the same land registry division. A common elements condominium does not have any units. Each owner’s percentage interest in the common elements will be specified in the declaration, will be appurtenant to the owner’s freehold land and will not be severable from it. Arrears of common expenses will result in a lien in favour of the condominium corporation on the default owner’s freehold land.

An example of a common elements condominium would be the common ownership of a private road. The owners of the lands serviced by the road could be part of a common elements condominium corporation for the road and would pay proportionately its common

expenses (maintenance, repair, management and insurance). This type of condominium enables a positive obligation (the payment of common expenses) to “run with the land”.

The following chart identifies the key differences between a standard condominium and a common elements condominium:

Standard Condominium	Common Elements Condominium
A standard condominium cannot be registered until all dwelling units are built. Therefore, the developer cannot close a deal with a purchaser on any of the units until all the units are built.	A common elements condominium is registered before any dwelling is conveyed. The developer can close a deal with a purchaser when the unit is completed. The developer does not have to wait until all units are built to close a real estate deal.
The individual units and common elements are created with the registration of the plan and are part of the condominium. The home owners are subject to the by-laws of the condominium corporation.	The individual units are created through either a plan of subdivision, consent approval or removal of part lot control. The dwelling units are not part of the condominium and therefore the homeowners are not subject to any condominium by-laws. The homeowners only have an interest in the common elements.

5.5.2 Draft Plan of Condominium and Draft Plan of Subdivision

The Applicant has submitted an application for approval of a common elements draft plan of condominium (File: C-O-2022-07). The common elements condominium would be tied to the proposed 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings. The following would generally be the common elements:

- (a) The private road providing access to each individual driveway serving the single detached dwellings, semi-detached dwellings and townhouse dwellings;
- (b) The internal sidewalks/walkways;
- (c) The common outdoor amenity area (parkette);
- (d) Community mailbox(es);
- (e) Visitor parking spaces; and,
- (f) Utility building (water meter room).

The 78 individual lots are proposed to be created through the removal of part lot control. These lots are commonly referred to as Parcels of Tied Land (“P.O.T.L.s”). The individual P.O.T.L.s have a percentage of ownership interest in the common elements but are not part of the condominium. To date, the Applicant has not submitted an application to remove part lot control. Applications to remove part lot control are delegated to the Commissioner of Economic and Development Services and Director of Planning Services for approval.

The Applicant proposes a draft plan of subdivision with 2 blocks: 1 block for a road widening and 1 block for the proposed condominium development (see Attachment 6). A part lot control by-law under the Planning Act can only be approved for lands in a registered plan of subdivision.

The City has approved other common element condominium developments. Recent examples include the sites at 487 Aztec Drive (Modeno Homes), 211 Thomas Street (Wiltshire Homes), 1640 Grandview Street North (Ballantry Homes), the southwest corner of Phillip Murray Avenue and Park Road South (SO Developments Inc.), 849 Rossland Road West (Delpark Homes), 250 Harmony Road South (Marlin Spring) and 800 and 805 Missom Gate (Sundance Developments).

Applications for approval of a draft plan of condominium are delegated to the Commissioner of Economic and Development Services and Director of Planning Services. The condominium application will not be approved unless the zoning by-law amendment application is approved.

5.6 Site Design/Land Use Considerations

The Applicant proposes 78 dwelling units in total consisting of 33 single detached dwellings, 24 semi-detached dwellings and 21 block townhouse dwellings on a private roadway (see Attachment 4). The 78 dwellings are proposed to be tied to a common elements condominium.

The 21 block townhouse dwellings will have front doors facing Harmony Road North with individual walkways leading to the Harmony Road North sidewalk. The remaining 57 dwellings will have frontage on the private condominium road only. The individual driveways for all 78 dwellings will have access from the private road only.

The development has been designed such that the 33 single detached dwellings are located along the north, east and south limits of the site abutting the existing low-rise residential neighbourhood. The minimum rear yard depth for the proposed single detached dwellings is 7.50 metres (24.61 ft.) which complies with the existing zoning of the Subject Site. The maximum height of twenty of the proposed single detached dwellings (i.e. Lots 1 to 11 and 25 to 33 as shown on Attachment 4) is 9 metres (29.52 ft.). The maximum height of the remaining thirteen single detached dwellings (i.e. Lots 12 to 24 as shown on Attachment 4) measured at the wall facing the rear lot line and the adjacent existing residential development is 9 metres (29.52 ft.).

The Applicant intends to construct, at their cost, a new 1.8 metre (6 ft.) high wood privacy fence along the north, east and south property lines abutting all existing single detached dwelling lots on Pinecrest Road and Swiss Height.

The proposed development also features a 686 square metre (7,384.04 sq. ft.) common amenity area (parkette) located at the northwest corner of the Subject Site. The parkette will include a children's playground, benches and open play area.

The Applicant will be required to install street curbing and a new public sidewalk on the north side of Pinecrest Road between Harmony Road North and the proposed driveway

access to the development. The site design includes a network of sidewalks along the internal private roads. The site design will also include sidewalk connections from the internal private roads to Pinecrest Road and to Harmony Road North through the parkette at the northwest corner of the Subject Site.

The Applicant has also submitted an application for Site Plan Approval (File: SPA-2023-07) for the proposed development.

In support of the proposed development, the Applicant has submitted a variety of plans and documents including a draft plan of subdivision, a draft plan of condominium, a site plan, floor plans, elevation plans, landscape and tree preservation plans, a servicing plan, a grading plan, an erosion and sediment control plan, a functional servicing and stormwater management report, a planning justification report, transportation impact assessments, an archaeological assessment, a geotechnical report, an environmental site assessment and a noise study.

Detailed design matters will be reviewed during the further processing of the application for site plan approval (File: SPA-2023-07) to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies in the event the subject revised applications are approved.

Some of the specific matters this Department will be reviewing during the further processing of the application for site plan approval, if the subject revised applications are approved, include:

- (a) Site/building design matters including parking, waste storage and collection, landscaping, lighting, outdoor amenity area design and snow storage;
- (b) Building architecture to ensure the quality of the design of the new homes;
- (c) Design and installation of privacy fencing abutting surrounding residential properties;
- (d) Noise attenuation;
- (e) Tree preservation;
- (f) Servicing, grading and stormwater management matters; and,
- (g) Construction management.

5.7 Basis for Recommendation

This Department has no objection to the approval of the subject revised applications submitted by the Applicant to amend Zoning By-law 60-94 and for approval of a draft plan of subdivision for the following reasons:

- (a) Redeveloping an under-utilized property at this location along an arterial road at the periphery of a neighbourhood along a Regional Corridor and Transit Spine is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan.

- (b) The proposed development conforms to the Durham Regional Official Plan and the O.O.P.
- (c) The proposal will advance development that is within the City's Built Boundary. The Growth Plan for the Greater Golden Horseshoe established a Built Boundary for municipalities within which a certain percentage of all new residential development must take place to reduce the demand for new residential growth in greenfield areas.
- (d) The proposed development contributes to a range of housing types in the area.
- (e) The proposed development has been designed to exceed the minimum parking requirements of Zoning By-law 60-94 for single detached, semi-detached and block townhouse dwellings.
- (f) The increased traffic as a result of the proposed development will have a negligible impact on the adjacent local roads and their intersections with Harmony Road North. The road network can accommodate the additional vehicle trips.
- (g) The proposed development is transit supportive given its proximity to D.R.T. bus routes 423 and Pulse 916 and its location on an arterial road that is part of the High Frequency Transit Network described in the new Durham Regional Official Plan.
- (h) The proposed development has been designed to be compatible with surrounding land uses and provides an appropriate interface with surrounding existing residential development.
- (i) The proposed development will help the City's efforts to achieve the delivery of 23,000 new housing units in Oshawa by 2031, as targeted by the Province.
- (j) Through the use of a holding symbol, appropriate conditions can be implemented in the zoning of the Subject Site to ensure matters related to noise mitigation, servicing, storm water management, foundation drainage, landscaping, fencing, lighting, amenity area design, tree preservation, and transportation services are appropriately addressed to the satisfaction of the City prior to construction.
- (k) The proposed development will make efficient use of existing municipal services such as water and sanitary services.
- (l) The proposed development represents good planning.

6.0 Financial Implications

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

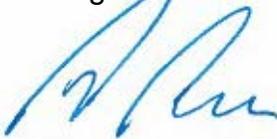
The subject applications were submitted prior to July 1, 2023 and therefore the Applicant will not be eligible for a fee refund under the Planning Act as amended by Bill 109 (More Homes for Everyone Act, 2022) if the City does not make a decision on the Zoning By-law Amendment application within a certain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

7.0 Relationship to the Oshawa Strategic Plan

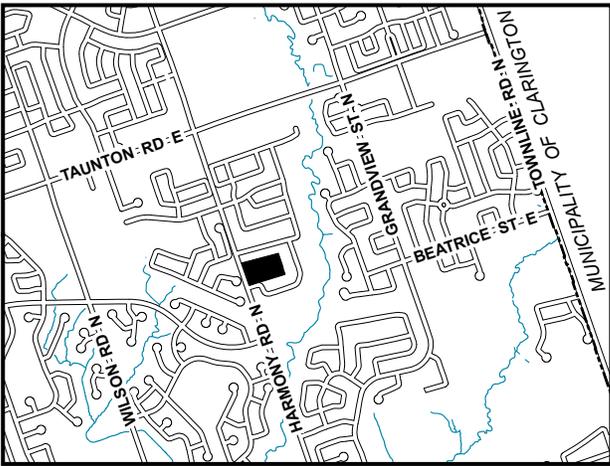
The Recommendation in this Report advances the Economic Prosperity and Financial Stewardship and Environmental Responsibility goals of the Oshawa Strategic Plan.



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



Anthony Ambra, P.Eng., Commissioner,
Economic and Development Services Department



Item: ED-24-42
Attachment 1

Economic and Development Services

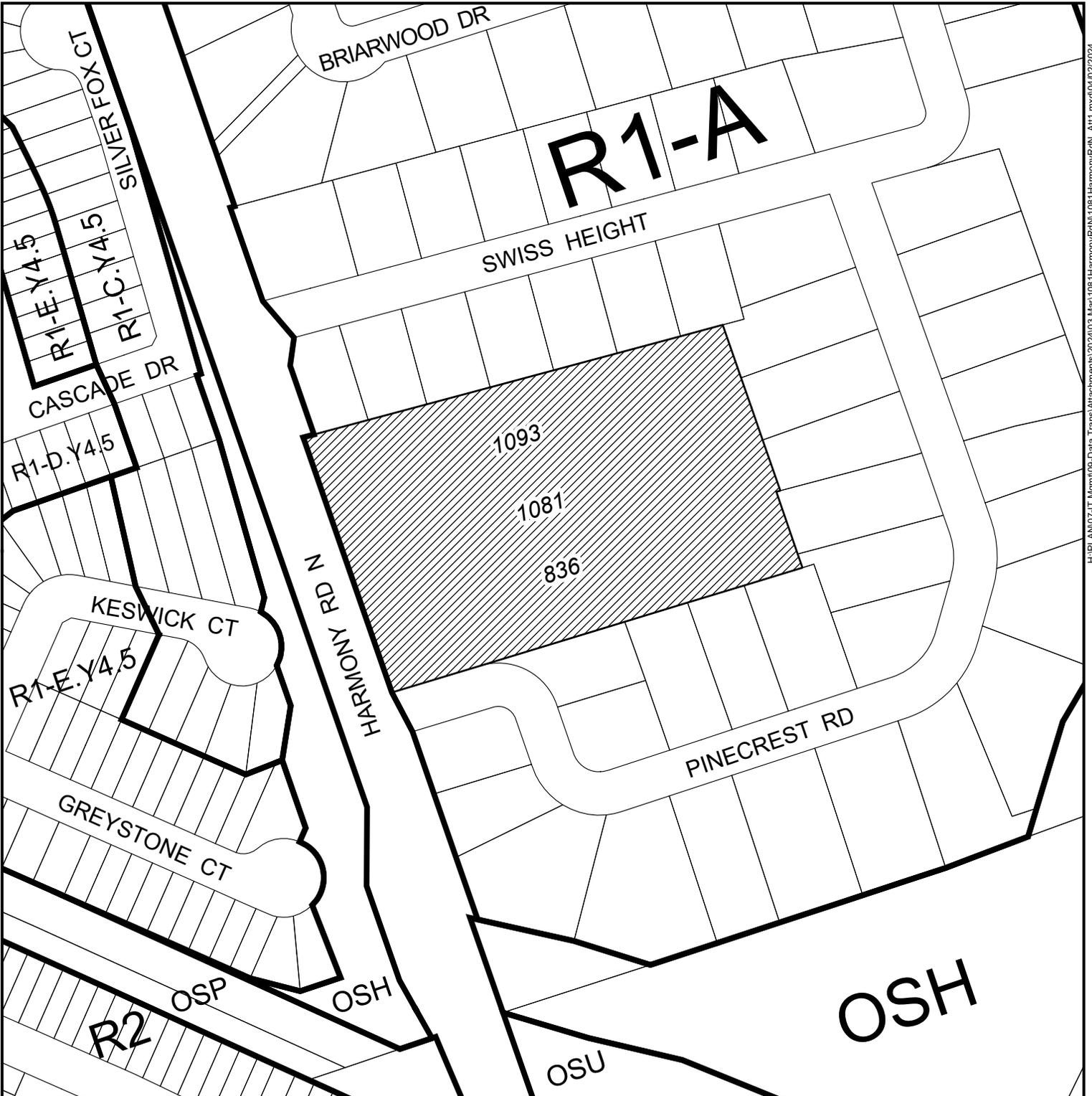
Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision, Icon Harmony Limited, 1081 and 1093 Harmony Road North and 836 Pinecrest Road

Ward: Ward 3

File: Z-2022-11, S-O-2022-04

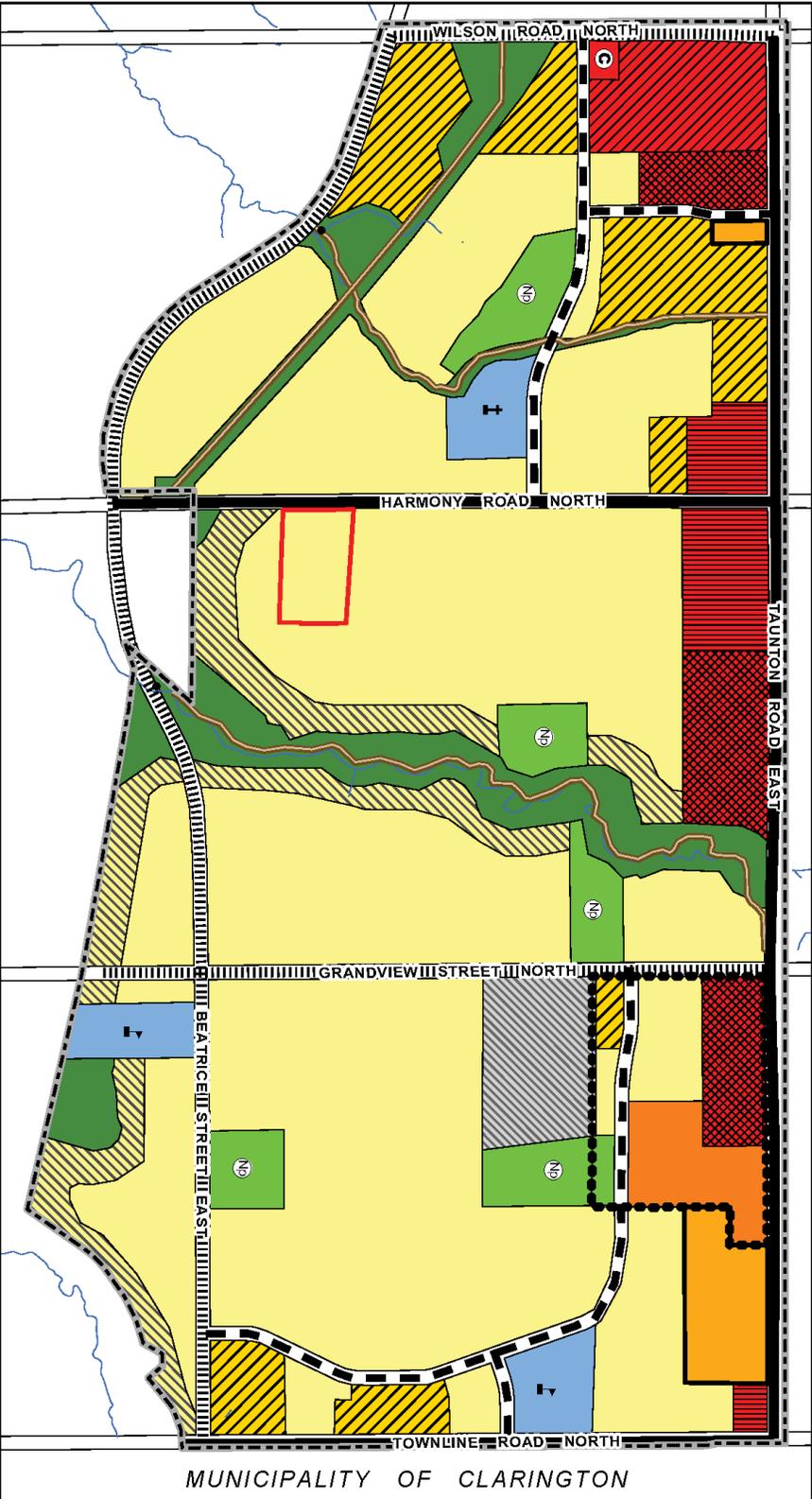


Subject Site



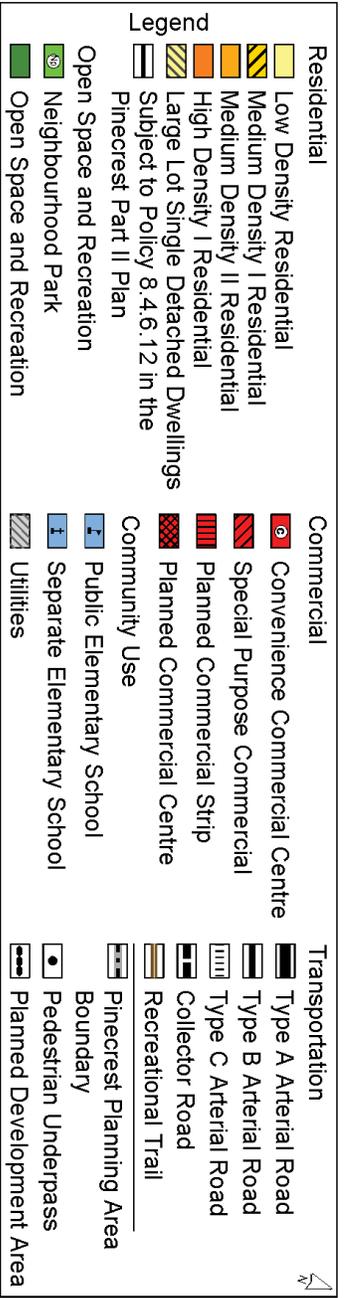
Title: Schedule 'A' Pinecrest Land Use and Road Plan of the Oshawa Official Plan
 Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision, Icon Harmony Limited, 1081 and 1093 Harmony Road North and 836 Pinecrest Road
 Ward: Ward 3
 File: Z-2022-11, S-O-2022-04

 Subject Site
 City of Oshawa
 Economic and Development Services



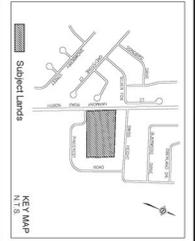
**Schedule 'A'
Pinecrest Land Use
and Road Plan**
Part II Plan for the
Pinecrest Planning Area

March 2021
Development Services
Department



Title: Draft Plan of Subdivision Considered at the January 9, 2023 Public Meeting
 Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision,
 Icon Harmony Limited, 1081 and 1093 Harmony Road North and 836 Pinecrest Road
 Ward: Ward 3
 File: Z-2022-11, S-O-2022-04

City of Oshawa
 Economic and Development Services



OWNER'S AUTHORIZATION
 I hereby authorize the preparation and release of this plan for other approval.
 Signature: [Signature]
 Date: September 23, 2022

SUBDIVISION'S CERTIFICATE
 I hereby verify that the boundaries of the lands shown are defined and are in accordance with the Survey Act and the Survey Regulations.
 Signature: [Signature]
 Date: September 23, 2022

ADDITIONAL INFORMATION
 1) The plan is a preliminary plan.
 2) The plan is not to be used for any other purpose.
 3) The plan is not to be used for any other purpose.
 4) The plan is not to be used for any other purpose.

DEVELOPMENT STATISTICS

PROPOSED LAND USE	Lot/Block No.	Area
1) Residential	1	2.3422 ha
2) Road Widening	2	0.1001 ha
TOTAL SITE AREA		2.4423 ha

NO.	DATE	DESCRIPTION
1	09/23/22	PRELIMINARY PLAN
2	09/23/22	PRELIMINARY PLAN
3	09/23/22	PRELIMINARY PLAN

DRAFT PLAN OF SUBDIVISION
 PART OF LOT 4
 (BOUNDARIES DETERMINED BY DATE WITHIN)
 CITY OF OSHTAWA
 REGIONAL MUNICIPALITY OF DURHAM
 Scale: 1:400



Excerpts from the Minutes of the Economic and Development Services Committee Meeting held on January 9, 2023

Application ED-23-10

Presentation

Evans Planning - Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision and a Common Elements Draft Plan of Condominium

Connor Wright, Associate Planner, Evans Planning presented an overview of the applications to amend Zoning By-law 60-94 and for Approval of Draft Plan of Subdivision and a Common Elements Draft Plan of Condominium, Icon Harmony Limited for lands located at 1081 and 1093 Harmony Road North and 836 Pinecrest Road.

Members of the Committee questioned Connor Wright.

Delegations

Christine Arsenault and Mark Purcell - Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision and a Common Elements Draft Plan of Condominium, Icon Harmony Limited, 1081 and 1093 Harmony Road North and 836 Pinecrest Road

Christine Arsenault and Mark Purcell addressed the Economic and Development Services Committee on behalf of the Maxwell Village Homeowners Association development applications submitted for lands located at 1081 and 1093 Harmony Road North and 836 Pinecrest Road, expressing concerns with how the development will fit into the neighbourhood given its current density and make up. Christine Arsenault stated that the community is open to growth, however not the rate that has been proposed and suggested that 46 units would be acceptable. Christine Arsenault suggested the scope of the traffic study was too narrow and contained inaccurate information. Christine Arsenault stated that the association also has concerns with traffic flow and increased patterns in the area of the development and recommended that current the Harmony Road and Pinecrest intersection be relocated within the development instead.

Members of the Committee questioned Christine Arsenault.

Correspondence

ED-23-19 - Various Residents submitting comments concerning ED-23-10 regarding the Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision 1081 and 1093 Harmony Road North and 836 Pinecrest Road (Ward 3)

Moved by Councillor Chapman

That Correspondence ED-23-19 from Al Arnott submitting comments concerning ED-23-10 regarding the Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision and a Common Elements Draft Plan of Condominium, Icon Harmony Limited, 1081 and 1093 Harmony Road North and 836 Pinecrest Road be referred to Report ED-23-10.

Motion Carried

Reports

ED-23-10 - Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision and a Common Elements Draft Plan of Condominium, Icon Harmony Limited, 1081 and 1093 Harmony Road North and 836 Pinecrest Road (Ward 3)

Moved by Councillor Kerr

That, pursuant to Report ED-23-10 dated January 4, 2023, concerning the applications submitted by Icon Harmony Limited to amend Zoning By-law 60-94 (File: Z-2022-11) and for approval of a draft plan of subdivision (File: S-O-2022-04) and a common elements draft plan of condominium (File: C-O-2022-07) to permit 36 single detached dwellings, 22 semi-detached dwellings and 15 block townhouse dwellings on lands municipally known as 1081 and 1093 Harmony Road North and 836 Pinecrest Road, staff be directed to further review and prepare a report and recommendation back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

Motion Carried

Summary of Planning Concerns with the Development Proposal at 1081 and 1093 Harmony Road North and 836 Pinecrest Road

The following concerns are presented from a Planning perspective in response to the Recommendation and Information contained in City of Oshawa Staff Report ED-24-42:

- Inadequate information has been presented to support the basis for recommendation in Section 5.7 of the Staff Report, in particular related to the following:
 - (B) - The proposed development conforms to the Durham Regional Official Plan and the O.O.P.
 - (F) - The increased traffic as a result of the proposed development will have a negligible impact on the adjacent local roads and their intersections with Harmony Road North. The road network can accommodate the additional vehicle trips.
 - (H) - The proposed development has been designed to be compatible with surrounding land uses and provides an appropriate interface with surrounding existing residential development.
 - (I) – The proposed development represents good planning.
- Staff and the applicant have only selectively considered and addressed applicable Regional and Oshawa Official Plan (OOP) policies. Official Plans must be read and applied in their entirety and all decisions of Council related to Zoning By-law Amendments must ensure that the amendment would be in conformity with the in-force and effect Official Plan and the applicable policies of the Part II Plan.
 - In particular, many of the Part II Plan policies have not been spoken to or addressed in relation to this proposal and it's conformity with the OOP. Some examples are listed below:
 - **8.4.6.7 It is the intent of the City to encourage the development of large lot single detached dwellings in areas as schematically shown on the Pinecrest Land Use and Road Plan, particularly where such areas abut creek valleys, woodlots or the top of the slope associated with the former Lake Iroquois shoreline.**
 - **8.4.6.8 In areas designated as Low Density Residential, the City will encourage the provision of new residential development of a similar type as abutting residential development existing as of the date of approval of this Part II Plan in order to ensure compatibility between new and existing development.**

- 8.4.12.5 Development shall have regard to its effect on the natural environment. **Measures shall be taken to retain and enhance natural features having ecological, recreational or aesthetic value such as significant woodlots, specimen trees, scenic vistas and natural watercourses.**
- Staff have indicated that the proposed development would necessarily contribute toward fulfilling the City's housing needs. Policy 8.4.6.10 (d) of the Pinecrest Part II Plan indicates: "Development will be monitored on a City-wide basis to determine if the affordability objectives of the Oshawa Official Plan are being achieved. Should the objectives not be met, the Pinecrest Part II Plan will be reviewed and may be revised to address this situation in the context of its role in the City's housing supply." This policy seems to indicate that if the objectives had not been met for this particular planning area, an amendment to the Part II plan to address this need would've been initiated by the City.
- With regard to comparator properties Staff have referenced in Section 4.2.1 of the Staff Report, properties presented consist of medium density developments in areas outside of the Pinecrest Part II Plan area, with the exception of 1280 Harmony Road North which is designated Medium Density in the Pinecrest Part II Plan, has direct site access onto Harmony Road, and is located near the major intersection of Harmony and Taunton Roads. Further, these comparables are all served by either direct access to an arterial or collector road or full movement turning opportunities within very close proximity to the site access which mitigates for any traffic impacts on existing surrounding neighbourhoods.
- While the OOP does allow for some flexibility in interpretation (e.g. numerical values, typologies), the City and applicant have not demonstrated how the proposed development conforms otherwise and satisfies the intent of the OOP relevant and applicable policies for Low Density Residential, which the site is designated. If the proposed density falls within the criteria for medium density, and the built form/typology proposed also falls under the criteria for medium density development in the OOP, it has not been clearly or adequately explained what else distinguishes the proposed development as conforming with the Low Density Residential policies and the intent of the OOP and Part II Plan, compared to a Medium Density Residential development proposal which would require an Official Plan Amendment. Notably, comparable developments presented by staff appear to be Medium Density Residential developments, and designated as such or enabled through separate policies in the OOP or respective Part II Plan where applicable.
- Further, this flexibility in interpretation by staff should be considered in conjunction with Policy 8.4.1.8 of the OOP which stipulates: **The Pinecrest Part II Plan refines and complements the policies of the Part I Plan.** In instances where the Pinecrest Part II Plan is silent on matters contained in the Part I Plan, the relevant policies of the Part I Plan, as may be amended from time to time, shall likewise apply to the Pinecrest Planning Area. However, **in instances where the Pinecrest Part II Plan contains more detailed policies than the Part I Plan, such detailed**

policies shall be applicable. Similarly, where a list of permitted uses provided in the Pinecrest Part II Plan expands, contracts or further details uses listed in the Part I Plan, permitted uses shall be those listed in the Part II Plan.

- Staff's interpretation of Regional Official Plan policies and appropriate densities and their applicability to the subject development should also be reviewed and confirmed. For instance, currently the proposed site is served by DRT routes 916 and 423 which operate at frequencies between 20-30 minutes. This corresponds to "basic transit services" which are recommended to support densities at 22 units per hectare. While the Region has identified Harmony Road as a High Frequency Transit Corridor, nearly the entirety of the Harmony Road Corridor, south of Taunton has already been developed with "Low Density" residential development. It is not reasonable to expect that at the site level, any singular redevelopment would be expected to meet or exceed these "targets", irrespective of the context and especially in situations where the surrounding area has not been developed or is unlikely to be significantly redeveloped to enable transit supportive densities. Further, the City of Oshawa has not yet completed a conformity exercise to assess and update the Oshawa Official Plan to bring it into conformity with the Regional Official Plan which would include refining and applying Regional policy as appropriate to specific areas and neighbourhoods within the City. Until such time as the City's conformity exercise has been completed, including the required opportunity for public consultation and input, the policies of the existing in force and effect OOP continue to be applicable and guide development in the City.
- Whereas Section 9.15 of the OOP allows for the City to require a peer review of studies with the cost to be borne by the applicant, it is recommended that Council request a peer review of the Transportation Study be undertaken prior to approving the proposed development, based on the significant concerns raised related to the transportation analysis.
- As the applicant is not requesting an Official Plan Amendment as part of their applications, it is imperative that conformity be demonstrated with the approved, in force and effect OOP and Pinecrest Part II Plan Policies in order for Council to approve a Zoning By-law Amendment and all other associated applications, which are required to be in conformity with the OOP.

Based on the information I have reviewed and been provided, the above represents my independent professional planning opinion as a Registered Professional Planner in the Province of Ontario.

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Summary of Transportation Planning, Safety and Design Issues for proposed development at 1081 and 1093 Harmony Road North and 836 Pinecrest Road

Please find below a high-level summary of transportation issues pertaining to the development mentioned above. It's important to note that this summary is quite high-level and does not include detailed traffic analysis or design reviews that would be necessary for providing detailed recommendations. The brief recommendations and action items provided at the end of this email require thorough comprehensive traffic analysis, design drawings, and other relevant reviews to confirm the extent of the issues outlined.

Overview of Transportation Reviews

Traffic operation Issues:

1. **Harmony Road Access:** Full access on Harmony Road should be able to accommodate the site-generated traffic proposed by this development. The proposed access location is over 400 meters from the nearest traffic signal from Grand Ridge Avenue, and the site's frontage on Harmony Road is relatively flat, making full access likely feasible for accommodating development traffic on/from Harmony Road.
2. **Northbound Traffic Distribution:** The GHD study assumed that the majority of future site or background traffic would be directed towards the northbound direction. However, given that the majority of trip destinations are towards the southbound direction and with access to Highway 401 located south of the site, most vehicle traffic should be destined southward, not northward. The GHD study should be revised to reflect the true nature of traffic destination demands across the city.
3. **Traffic Infiltration:** Due to limited options for left-turns from Harmony Road, the majority of left-turns will likely occur at the traffic signal at Grand Ridge Avenue/Harmony Road. These left-turning vehicles will use several local roads (such as Swiss Heights, Pinecrest Road, etc.) to access the site. The impact of traffic infiltration was not analyzed in the GHD traffic study.

Design and Safety Issues

1. **Right-of-Way Constraints:** Despite Pinecrest Road having a 20-meter right-of-way per Official Plan, the actual space available for vehicular and pedestrian traffic will be significantly narrower due to elevation differences along the segment between Harmony Road and Pinecrest Road. The presence/need of multiple retaining walls, grading requirements, cross-slope issues, and widening needs will pose serious challenges when applying City engineering standards during the detailed design stage. No detailed design for this segment of Pinecrest Road and access was provided to confirm these constraints.

2. **Distance from Harmony Road to Pinecrest Access:** The proposed Pinecrest access is approximately 30-35 meters from the stop bar at Harmony Road. However, when accounting for clear intersection distance (including "no stopping" restrictions and intersection clearance etc.), this distance reduces to roughly the length of two regular vehicles or one large vehicle. Such proximity from a major street like Harmony Road could lead to queuing, conflict, and other traffic operation and safety issues.
3. **Proximity to Curvature:** Geometric design guidelines generally recommended to avoid placing new access points close to road curvature. The proposed Pinecrest access is located only a few meters away from a sharp horizontal curvature (nearly a 90-degree bend), which poses risks such as sightline issues, visibility challenges, sideswipe risks, and potential head-on collisions once the new access is installed.
4. **Left Turn at Pinecrest Road Access:** The GHD study suggested that right-turning vehicles from Harmony Road should immediately turn left at the Pinecrest access. This close back-to-back turning proximity, coupled with insufficient space for left-turn vehicle storage (especially for larger design vehicles), could block eastbound traffic and increase collision risks at the proposed Pinecrest access.
5. **Turning Vehicle Constraints:** Apart from left-turning vehicles entering the Pinecrest access, outbound turning vehicles (particularly larger ones) will encounter minimal buffer space between oncoming vehicles, pedestrians at corners, or cyclists on Pinecrest Road. This condition often leads to increased "vehicle mounting" incidents, posing serious collision risks to vulnerable road users, including seniors. The swept path analysis provided in the GHD report did not account for street curbs (particularly the south curb), leaving the true impact of large vehicles unknown.
6. **Pedestrian Safety Issues:** The proposed pedestrian sidewalk on the north side of Pinecrest Road seems to be situated too close to the property line, leaving little to no safety buffer for a maintenance strip and safety distance behind the sidewalk. Additionally, the grass boulevard between the sidewalk and curb on Pinecrest Road features a steep slope exceeding provincial maximum boulevard slope standards, posing additional risks to pedestrians. The downward slope and ramp at the northeast corner of Harmony Road and Pinecrest Road, where two sidewalks intersect, present grading challenges and could hinder accessibility standards, increasing slip-and-fall risks – especially during winter.
7. **Bicycle Safety Issues:** The pavement width along the site's frontage on Pinecrest Road is approximately 6 meters, which is too narrow for cyclists to ride adjacent to vehicle traffic safely. Widening the pavement to accommodate cyclists would face elevation difference issues along the segment between Harmony Road and Pinecrest Road. Furthermore, conflicts with turning vehicles at the Pinecrest access would increase risks for bicycle users.

Recommendations:

Recommendation Number 1: The city, in collaboration with the property owner/developer, should conduct independent comprehensive study to address transportation needs and detail design studies for the aforementioned transportation planning, engineering, and safety issues.

Recommendation Number 2: The proposed Pinecrest Road access requires extensive operational, design, and safety analysis and review before approval. Preliminary reviews suggest that this access may not be suitable for full vehicle access due to multiple constraints and significant safety concerns. However, it may be feasible for active transportation and emergency vehicle access, which also requires detailed analysis and review.

Recommendation Number 3: Investigate the feasibility of providing full access from Harmony Road to mitigate traffic infiltration impacts on local neighborhoods and avoid design constraints and safety issues associated with full access on Pinecrest Road.

Thanks,

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