

To: Economic and Development Services Committee

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

Report Number: ED-24-20

Date of Report: January 31, 2024

Date of Meeting: February 5, 2024

Subject: Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 1279 Simcoe Street North, Katanna Simcoe Ltd.

Ward: Ward 2

File: S-O-2022-05, Z-2022-12

1.0 Purpose

The purpose of this Report is to provide a recommendation on the revised applications submitted by Katanna Simcoe Ltd. (the “Applicant”) to amend Zoning By-law 60-94 (File: Z-2022-12) and for approval of a draft plan of subdivision (File: S-O-2022-05) to permit 170 block townhouse dwellings, eleven (11) of which would be live/work units, a road widening block and a private parkette on lands municipally known as 1279 Simcoe Street North (the “Subject Site”).

The Applicant intends to register the proposed development as a common elements plan of condominium pursuant to File C-O-2022-08.

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

Attachment 2 is a copy of the proposed draft plan of subdivision (File: S-O-2022-05) submitted by the Applicant and considered at the January 9, 2023 public meeting.

Attachment 3 is a copy of the original common elements draft plan of condominium (File: C-O-2022-08) submitted by the Applicant and considered at the January 9, 2023 public meeting.

Attachment 4 is a copy of the revised common elements draft plan of condominium (File: C-O-2022-08) submitted by the Applicant to address certain technical matters.

Attachment 5 is a copy of the original proposed site plan submitted by the Applicant and considered at the January 9, 2023 public meeting.

Attachment 6 is a copy of the revised proposed site plan submitted by the Applicant to address certain technical matters.

Attachment 7 is a list of the uses permitted in the PSC-A (Planned Strip Commercial) Zone.

On January 9, 2023, a public meeting was held with respect to 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 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 8 to this Report.

Subsequent to the January 9, 2023 public meeting, the Applicant revised the subject development proposal. The key differences between the proposal considered at the public meeting (see Attachment 5) and the revised proposal (see Attachment 6) are as follows:

- The main driveway access from Simcoe Street North has been relocated from the north side of the Subject Site to the south side of the Subject Site.
- A secondary access to Simcoe Street North for emergency services has been added to the proposed site design.
- The overall total number of proposed block townhouse dwellings has been reduced from 172 to 170, as follows:
 - The number of proposed live/work dual frontage block townhouse dwellings has been reduced from 12 units to 11 units;
 - The number of proposed traditional block townhouse dwellings has been reduced from 88 units to 69 units; and,
 - The number of proposed back-to-back block townhouse dwellings has been increased from 72 units to 90 units.
- The proposed visitor parking rate has been increased from 0.25 spaces per unit to 0.35 spaces per unit.
- The size of the private parkette has been increased from approximately 577 square metres (6,211 sq. ft.) to 972 square metres (10,463 sq. ft.).
- The Applicant has clarified and reduced the list of business uses requested to be permitted in the live/work units.
- Certain changes to building locations and the alignment of private roads have been made to address various technical comments.

2.0 Recommendation

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

1. That, pursuant to Report ED-24-20 dated January 31, 2024, the revised application submitted by Katanna Simcoe Ltd. to amend Zoning By-law 60-94 (File: Z-2022-12) to permit 170 block townhouse dwellings consisting of 11 live/work units, 69 traditional block townhouse units and 90 back-to-back block townhouse units, a road widening block and a private parkette, on lands municipally known as 1279 Simcoe Street North be approved, generally in accordance with the comments 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-24-20 dated January 31, 2024, the revised application submitted by Katanna Simcoe Ltd. for approval of a draft plan of subdivision (File: S-O-2022-05) for 1279 Simcoe Street North featuring one development block and one road widening block to facilitate the development of a proposed common elements plan of condominium featuring 170 block townhouse dwellings be approved, and that the Commissioner of Economic and Development Services or Director of Planning Services be authorized to impose appropriate 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-23-01 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 that the revised applications to amend Zoning By-law 60-94 and for approval of a draft plan of subdivision submitted by Katanna Simcoe Ltd. for the lands municipally known as 1279 Simcoe Street North be approved.

The proposed development is appropriate given the Subject Site's location along Simcoe Street North, which functions as a Regional Corridor with good access to transit, services and nearby amenities.

The revised applications will advance new residential development on an underutilized site that can be designed to be compatible with existing surrounding residential development and open space, is consistent with Provincial, Regional and City policies 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 by 2031, as targeted by the Province.

4.0 Input From Other Sources

4.1 Other Departments and Agencies

No department or agency that provided comments has any objection to the subject applications. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the further processing of the applications, 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 8 to this Report.

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

4.2.1 Traffic Impacts

Comment:

Comments were made expressing concern with the potential traffic impacts that the proposed development will have on roads in the area.

Staff Response:

The Subject Site is currently designated as Planned Commercial Strip and Residential in the Oshawa Official Plan (the "O.O.P.") and is zoned PSC-A (Planned Strip Commercial) and R4-A/R6-C/EU (Residential/Existing Use) in Zoning By-law 60-94. The existing O.O.P. designations and zoning permit a variety of commercial uses as well as medium and high density residential uses. One-hundred-and-seventy (170) block townhouse dwellings are currently already permitted on the Subject Site. The purpose of the subject rezoning application is to implement the proposed development with site specific conditions to permit certain performance standards such as, but not necessarily limited to, reduced yard depths and landscaped open space and increased lot coverage and building height, and to permit live/work units.

The Applicant submitted a Traffic Impact Study (T.I.S.) for the proposal, prepared by CGE, a professional transportation engineering consulting company, as part of the original application submission. The Applicant subsequently provided a Traffic Impact Study Addendum (Addendum), prepared by CGE, to respond to certain technical comments made by the Region of Durham on the original T.I.S.

The key conclusions of the T.I.S. and Addendum are as follows:

- The anticipated trips from the proposed redevelopment are 83 two-way trips during the weekday morning peak hour and 98 two-way trips during the afternoon peak hour. Results of the trip generation analysis show that the estimated weekday morning peak hour trips from the retail store use previously located on the Subject Site are

comparable to the proposed townhouse development, and the previous retail store use would have slightly more in the weekday peak hour than the proposed townhouse development. Consequently, it is anticipated that the proposed development will not have significant traffic impacts on the adjacent road network.

- A Two-Way Left Turn Lane (T.W.L.T.L.) is presently provided in the centre of Simcoe Street North in the vicinity of the proposed driveway access.
- Field observations show that there are no sight distance obstructions that obscure the view of vehicles at the proposed driveway.
- The AutoTURN swept path analysis shows that the site design presents no safety concerns for the circulation of vehicles and the site design is expected to operate acceptably.
- Observations made during the traffic counts revealed that there are occasions when the T.W.L.T.L. is occupied by multiple motorists separately seeking to access different properties on Simcoe Street North simultaneously. Despite the northbound queues from the nearby Taunton Road intersection and traffic signals, motorists were seen making the left-turns from the Simcoe Street North T.W.L.T.L. safely and without significant delays.
- The redevelopment proposes to close one of the two regular existing driveway accesses to the Subject Site and will have a positive effect on access management along this section of Simcoe Street North.
- The various planned transit initiatives along Simcoe Street North may ultimately restrict and eliminate left turns in the future.
- Analysis reveals that acceptable levels of service are maintained at the Simcoe Street North and Russett Avenue intersection with full build-out of the proposed development as well as in 2030.
- According to the Institute of Transportation Engineers' "Parking Generation Handbook, 5th Edition", the anticipated peak parking demand for the proposed townhouse development is 227 spaces. The proposed parking supply of 400 spaces is therefore sufficient to meet the anticipated peak parking demand.
- The Applicant proposes to provide a number of Transportation Demand Management (T.D.M.) strategies including 107 bicycle parking spaces, transit incentives and T.D.M. communication outreach.

As a result of the Region's comments on the original T.I.S. and associated Addendum, the main driveway access along Simcoe Street North for the proposed development was shifted from the northern portion of the Subject Site to the southerly limit, to be farther from the Simcoe Street North and Taunton Road intersection.

A secondary emergency access has been added on the northern portion of the Subject Site to allow access for emergency services only in the event that the main southerly driveway becomes blocked or unusable in an emergency.

The Region of Durham Works Department and the City's transportation engineering staff have no objection to the key conclusions of the T.I.S. and associated Addendum as they relate to impacts on area streets, and have no objections to the revised applications.

4.2.2 Parking

Comment:

Comments were made that the amount of visitor parking proposed for the development is not adequate.

Staff Response:

Zoning By-law 60-94 requires a minimum of 1.65 parking spaces per unit for residents and 0.35 parking spaces per unit for visitors for condominium block townhouses. The proposed development consists of a total of 170 block townhouse units. Therefore, a minimum of 281 parking spaces are required for residents and 60 parking spaces are required for visitors.

Both the original site plan (see Attachment 5) and the revised site plan (see Attachment 6) show a minimum of two (2) resident parking spaces associated with each residential unit, with one (1) parking space located in a private garage and one (1) parking space located on the private driveway in front of the garage. Therefore, the proposed development meets the requirements of Zoning By-law 60-94 for resident parking.

The original proposal submitted by the Applicant (see Attachment 5) proposed a reduced visitor parking rate of 0.25 parking spaces per unit (for the then-proposed 172 units) for a total of 43 visitor parking spaces. The Applicant has since revised the proposed site design (see Attachment 6) to provide visitor parking at a rate of 0.35 parking spaces per unit (for the current proposed 170 units) for a total of 60 visitor parking spaces. This represents an increase of 17 additional visitor parking spaces from the previous design, and meets the minimum required visitor parking rate for condominium block townhouses under Zoning By-law 60-94.

5.0 Analysis

5.1 Background

The Subject Site is generally located on the east side of Simcoe Street North, south of Taunton Road East, and is municipally known as 1279 Simcoe Street North (see Attachment 1).

The property was formerly the site of the Millwork/Rona building supply store.

The following is background information concerning the subject revised applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Planned Commercial Strip and Residential	No change
Zoning By-law 60-94	PSC-A (Planned Strip Commercial) and R4-A/R6-C/EU (Residential/Existing Use)	Appropriate Zones to implement the proposed development with site specific conditions to permit certain performance standards such as, but not necessarily limited to, reduced yard depths and landscaped open space and increased lot coverage and building height, and to permit live/work units.
Use	Vacant former building supply store	11 live/work block townhouse dwellings, 69 traditional block townhouse dwellings and 90 back-to-back block townhouse dwellings on new private roads, as well as a road widening block and a private parkette along the east side of Simcoe Street North.

The following land uses are adjacent to the Subject Site:

- North** A restaurant fronting onto Simcoe Street North, and block townhouses and apartment buildings fronting onto Taunton Road East
- South** Commercial plazas fronting onto Simcoe Street North, and block townhouses and City-owned open space fronting onto Mary Street North
- East** Apartment buildings fronting onto Taunton Road East and Mary Street North
- West** Simcoe Street North, beyond which are a retail store, automobile repair garages, a restaurant and a self-serve car wash.

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

Site Statistics Item	Measurement
Lot Frontage on Simcoe Street North	87.40m (286.75 ft.)
Gross Lot Area (inclusive of road widening)	3.17 ha (7.83 ac.)
Net Lot Area (exclusive of road widening)	3.12 ha (7.71 ac.)
Number of Proposed Block Townhouse Dwelling Units	Live/Work Block Townhouse Units – 11 Back-to-Back Block Townhouse Units – 90 Traditional Block Townhouse Units – 69 Total: 170 Units

Site Statistics Item	Measurement
Permitted Maximum Net Residential Density	60 u/ha (24 u/ac.)
Proposed Net Residential Density	54.49 u/ha (22.05 u/ac.)
Permitted Maximum Building Height	10.5m (34.5 ft.)
Proposed Maximum Building Height	14m (46.0 ft.)
Parking Spaces Required	281 spaces for residents (1.65 spaces per unit) plus 60 spaces for visitors (0.35 spaces per unit) Total: 341 spaces
Parking Spaces Provided	340 spaces for residents (2.0 spaces per unit) plus 60 spaces for visitors (0.35 spaces per unit) Total: 400 spaces

5.2 Oshawa Official Plan

The Subject Site is designated as Planned Commercial Strip and Residential in the O.O.P. The western portion of the Subject Site abutting Simcoe Street North is designated Planned Commercial Strip and the eastern portion is designated Residential.

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

Areas designated as Planned Commercial Strip shall permit commercial uses that, by nature of their function, require direct access or exposure afforded by frontage on an arterial road. In addition, mixed commercial-residential and residential developments without a commercial component may be permitted within areas designated as Planned Commercial Strip subject to the inclusion of appropriate policies in the zoning by-law and any other relevant policies of the O.O.P.

The O.O.P. contains policies which establish various residential density types and provide general locational criteria for such densities. Table 2, Residential Density Classification, has five (5) density categories including Medium Density I Residential. The proposed mixed-use development at 1279 Simcoe Street North would have a net residential density of 54.49 units per hectare (22.05 u/ac.) which is classified as the Medium Density I Residential density type.

The general representative housing type/form within the Medium Density I Residential category generally consists of single detached, semi-detached, duplex and townhouse dwellings with a density range of 30 to 60 units per hectare (12 to 24 u/ac.), subject to general locational criteria as follows:

- (i) Generally located at the periphery of neighbourhoods in proximity to arterial and collector roads, or located within Main Central Areas, Sub-Central Areas, Community Central Areas, Local Central Areas or Regional and Local Corridors, or generally located in areas that are undergoing transition, such as neighbourhoods containing a

range of land uses, in which higher density residential uses could be developed without generating undue adverse impacts on adjacent land uses.

- (ii) Generally located in such a manner that the scale, form and impacts of this type of housing are generally compatible with adjacent land uses.

O.O.P. Policy 2.3.1.4 states:

“2.3.1.4 Certain types of home occupation uses may be permitted in areas designated as Residential or integrated into residential developments.

“Home occupation” uses mean uses that:

- (a) Are secondary to the use of a dwelling unit for residential purposes and shall not involve any changes to the external character of the dwelling unit or property such as outside storage or display areas;
- (b) Do not generate adverse effects such as that from electrical interference, signs, excessive traffic, parking or noise;
- (c) Involve the provision of personal or professional services or producing custom or artisanal products; and
- (d) Do not include uses such as kennels or animal services, automobile or truck repair or paint shops, furniture stripping or any other activities which may otherwise be incompatible with the adjacent residential area.

In addition to complying with the foregoing requirements, home occupation uses shall only be permitted subject to the inclusion of appropriate provisions in the zoning by-law.”

Schedule ‘A-2’, Corridors and Intensification Areas, of the O.O.P. designates Simcoe Street North as a Regional Corridor. Schedule ‘B’, Road Network, designates Simcoe Street North as a Type ‘B’ Arterial Road. Simcoe Street North is also identified as a Regional Transit Spine on Schedule ‘B-1’, Transit Priority Network, of the O.O.P.

The O.O.P. specifies that development along Regional Corridors shall generally consist of compact, human scale, higher density development that is transit-supportive and has a strong pedestrian-oriented focus.

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

5.3 Zoning By-law 60-94

The westerly portion of the Subject Site is currently zoned PSC-A (Planned Strip Commercial) and the easterly portion of the Subject Site is zoned R4-A/R6-C/EU (Residential/Existing Use) in Zoning By-law 60-94 (see Attachment 1).

The R4-A Zone permits block townhouses up to a maximum density of 60 units per hectare (24 u/ac).

The R6-C Zone permits apartment buildings, long term care facilities, nursing homes and retirement homes up to a maximum density of 150 units per hectare (60 u/ac.).

The EU Zone permits existing uses, located in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day Zoning By-law 60-94 was passed, and new one storey accessory buildings.

The PSC-A Zone permits a variety of residential and commercial uses, including, but not limited to:

- Apartment building
- Block townhouse
- Financial institution
- Flat
- Office
- Personal service establishment
- Restaurant
- Retail store
- Retirement home

The full list of the uses permitted in the PSC-A Zone is included in Attachment 7.

Back-to-back townhouses are considered block townhouses under Zoning By-law 60-94.

Block townhouses and a variety of commercial uses are permitted in the PSC-A Zone and block townhouses are permitted in the R4-A Zone subject to compliance with the applicable zoning regulations. However, the proposed site and building designs do not comply with a number of zoning regulations related to matters such as, but not necessarily limited to, minimum yard depths and landscaped open space, and maximum lot coverage and building height. The Applicant also proposes commercial floor space in the block townhouse buildings adjacent to Simcoe Street North.

Zoning By-law 60-94, as amended, defines home occupations as follows:

““HOME OCCUPATION” means an occupation or business conducted for gain or profit within a dwelling unit by any resident of that dwelling unit, excluding the following occupations or businesses: kennels or other animal services, automobile repair garage or automobile body shop or paint shop, medical offices with the exception of massage therapy, restaurants, taxi services, bed and breakfast establishments and newspaper or catalogue distribution centres.”

The following are key regulations applicable to home occupations:

- (a) Home occupations are permitted in all zones that permit dwelling units.

- (b) The home occupation must be secondary to the use of the dwelling unit and be carried out by a resident or residents of the dwelling unit.
- (c) The total floor area taken up by all home occupations in the dwelling unit shall be no more than twenty-five percent (25%) of the total floor area of the dwelling unit and shall be confined to one area and shall not exceed 28 square metres (301 sq. ft.).
- (d) Except for the home day care of a maximum of five persons (children or adults), no more than three persons shall be present in the dwelling unit at any time to receive treatment, services or instructions.
- (e) No retail sales shall be permitted as part of a home occupation use other than the sale of what is produced or repaired on-site.
- (f) The home occupation shall be restricted to the dwelling unit.
- (g) Outdoor storage is not permitted.
- (h) No additional parking spaces need be provided for a home occupation use apart from what is required for the dwelling unit.
- (i) The property shall not be used as a meeting place or a point of departure for off-site work.
- (j) No contracting equipment or supplies which are intended for use or consumption off-site, nor any bulk storage of hazardous or noxious chemicals or other materials, shall be permitted to be kept or stored on the property.

The Applicant proposes that the eleven (11) units in Blocks 1.1 and 1.2 adjacent to Simcoe Street North (see Attachment 6) have enhanced home occupation permissions (live/work units) as follows:

- With respect to item (c) above, the Applicant proposes that the entire ground floor of each individual unit may be used as a home occupation (not including the garage). This would represent approximately 53 square metres (570 sq. ft.). This would still represent only approximately 25% of the floor space of each unit.
- With respect to item (e) above, the Applicant proposes that a retail store be allowed to sell products that are not produced or repaired on-site.

As a result, the Applicant has applied to amend Zoning By-law 60-94 to introduce site specific conditions to implement the proposed development and site design.

This Department has no objection to an amendment to Zoning By-law 60-94 which would rezone the Subject Site to add an appropriate R4-A (Residential) Zone including special regulations related to, but not necessarily limited to, permitted uses in the live/work units, minimum required front yard and rear yard depths, minimum landscaped open space and maximum permitted lot coverage and building height.

Section 5.6 of this Report sets out the rationale for this position.

5.4 Subdivision and Condominium

5.4.1 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 170 block townhouse units.

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 owner 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 homeowners 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.

5.4.2 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-2022-08). The common elements condominium would be tied to the proposed 170 block townhouse dwellings. The following would generally be the common elements (see Attachments 4 and 6):

- (a) The private road providing access to each individual townhouse driveway;

- (b) The internal sidewalks/walkways;
- (c) The common outdoor amenity area (parkette);
- (d) Community mailbox(es);
- (e) Visitor parking spaces; and,
- (f) Bicycle parking spaces.

The 170 individual townhouse dwelling 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 the respective owner's 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 or Director of Planning Services for approval.

The Applicant proposes a draft plan of subdivision with two (2) blocks: one (1) block for a road widening and one (1) block for the proposed condominium townhouse development. 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 block townhouse developments. Recent examples include the sites at the southwest corner of Phillip Murray Avenue and Park Road South (SO Developments Inc.), 849 Rossland Road West (Delpark Homes) and 250 Harmony Road South (Marlin Spring).

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

5.5 Site Design/Land Use Considerations

The revised plans submitted by the Applicant propose a total of 170 block townhouse units consisting of eleven (11) dual frontage live/work block townhouse dwellings, 69 traditional block townhouse dwellings and 90 back-to-back block townhouse dwellings, on private roadways (see Attachment 6). One full-movement driveway access and one right-out only emergency access are proposed from Simcoe Street North. The 170 block townhouse dwellings are proposed to be tied to a common elements condominium.

The eleven (11) units in Townhouse Blocks 1.1 and 1.2 abutting Simcoe Street North are proposed to be live/work townhouse units with the ground floor of each unit designed to accommodate commercial space with residential floorspace above. These units are proposed to have front doors for the commercial spaces facing Simcoe Street North with a secondary/residential access from the proposed private road. The remaining 69 traditional block townhouse dwellings and 90 back-to-back block townhouse dwellings will have frontage on the private condominium roads only. The individual driveways for all 170 units will have driveway access from the private roads only.

Each of the 170 units will have at least two (2) parking spaces: one (1) in the garage and one (1) in the driveway in front of the garage. Some units will have longer driveways which may be able to accommodate a third parked vehicle.

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, a landscape plan, a servicing plan, a grading plan, a functional servicing and stormwater management report, a planning justification report, a T.I.S. and Addendum, a geotechnical report, a hydrogeological investigation, Phase 1 and 2 environmental site assessments, and a noise study.

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

Some of the specific matters this Department will be reviewing during the processing of the future application for site plan approval, should the subject applications be approved, include:

- (a) Site/building design, including building architecture;
- (b) Stormwater management, servicing and grading matters;
- (c) Landscaping and fencing;
- (d) Noise attenuation;
- (e) Lighting;
- (f) Fire route;
- (g) Design of the emergency access driveway;
- (h) Snow removal and storage;
- (i) Waste collection; and,
- (j) Crime Prevention Through Environmental Design matters.

5.6 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) The use of the Subject Site for the proposed block townhouse dwellings is permitted under the existing zoning and the proposed special regulations to implement the site design are appropriate at this location.
- (b) The proposed live/work unit regulations are appropriate given the Subject Site is located in an area having zoning where a range of commercial uses are already permitted.
- (c) Redeveloping an under-utilized property at this location along an arterial road is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan.

- (d) The proposed development conforms to the Durham Regional Official Plan and the O.O.P.
- (e) 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.
- (f) The proposed development contributes to a range of housing types in the area.
- (g) The proposed development along an arterial road that is also a Regional Corridor and Transit Spine is transit supportive given its proximity to Durham Region Transit bus routes (Routes 407, 901, 905 and 915).
- (h) The proposed development will make more efficient use of existing municipal services such as water and sanitary service.
- (i) The proposed development is in proximity to existing schools and shopping areas.
- (j) The proposed development has been designed to be compatible with surrounding land uses.
- (k) 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.
- (l) The applications represent 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

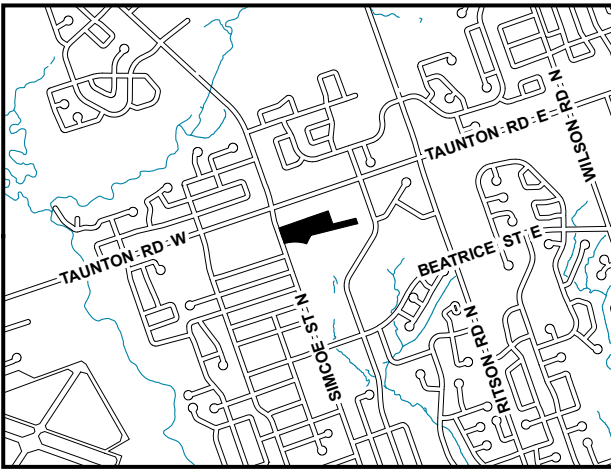
The Recommendation in this Report advances the Economic Prosperity and Financial Stewardship, Social Equity and Environmental Responsibility goals of the Oshawa Strategic Plan.



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



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



**Item: ED-24-20
Attachment 1**

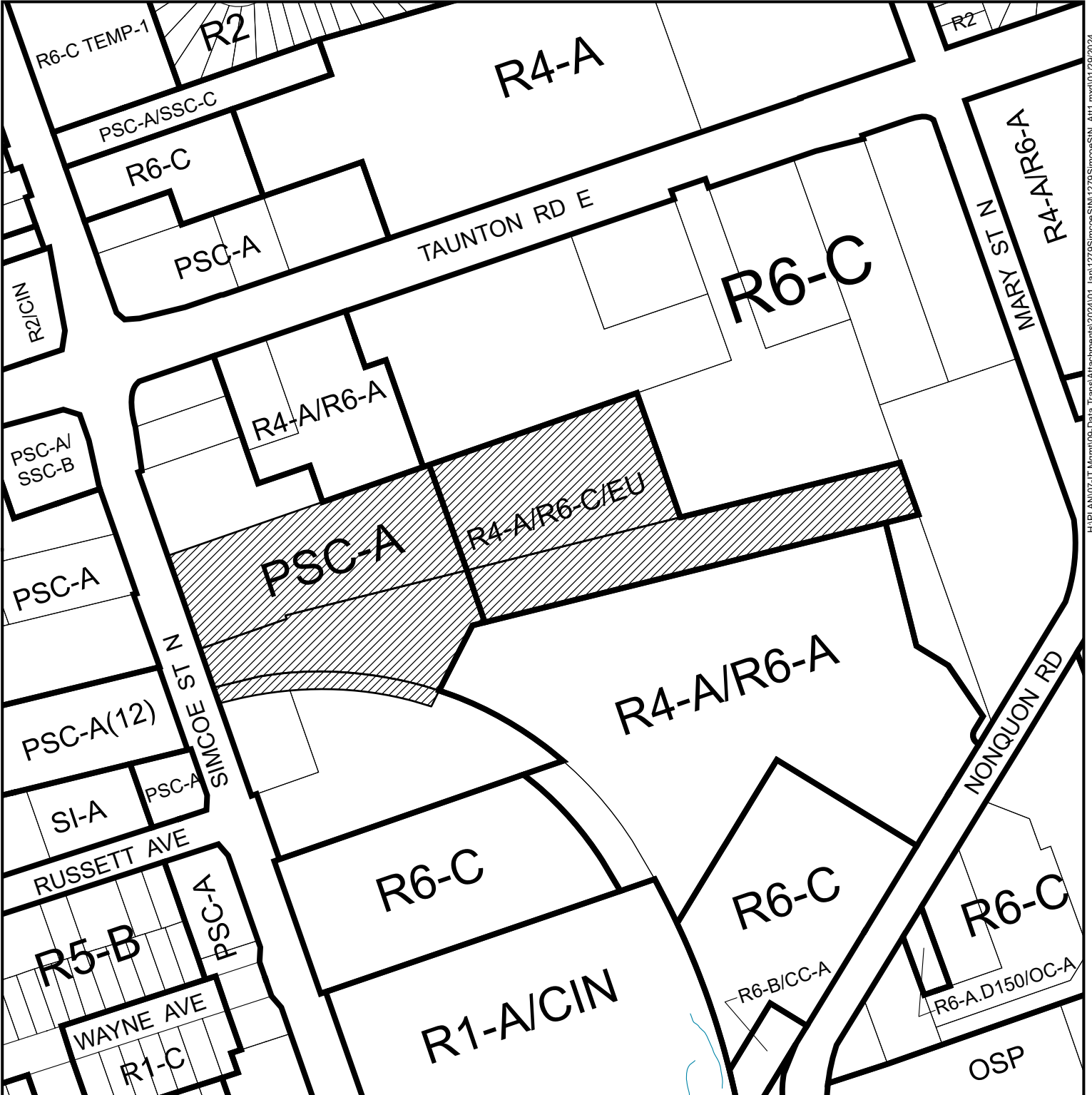
Economic and Development Services

Subject: Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 1279 Simcoe Street North, Katanna Simcoe Ltd.

Ward: Ward 2
File: S-O-2022-05, Z-2022-12



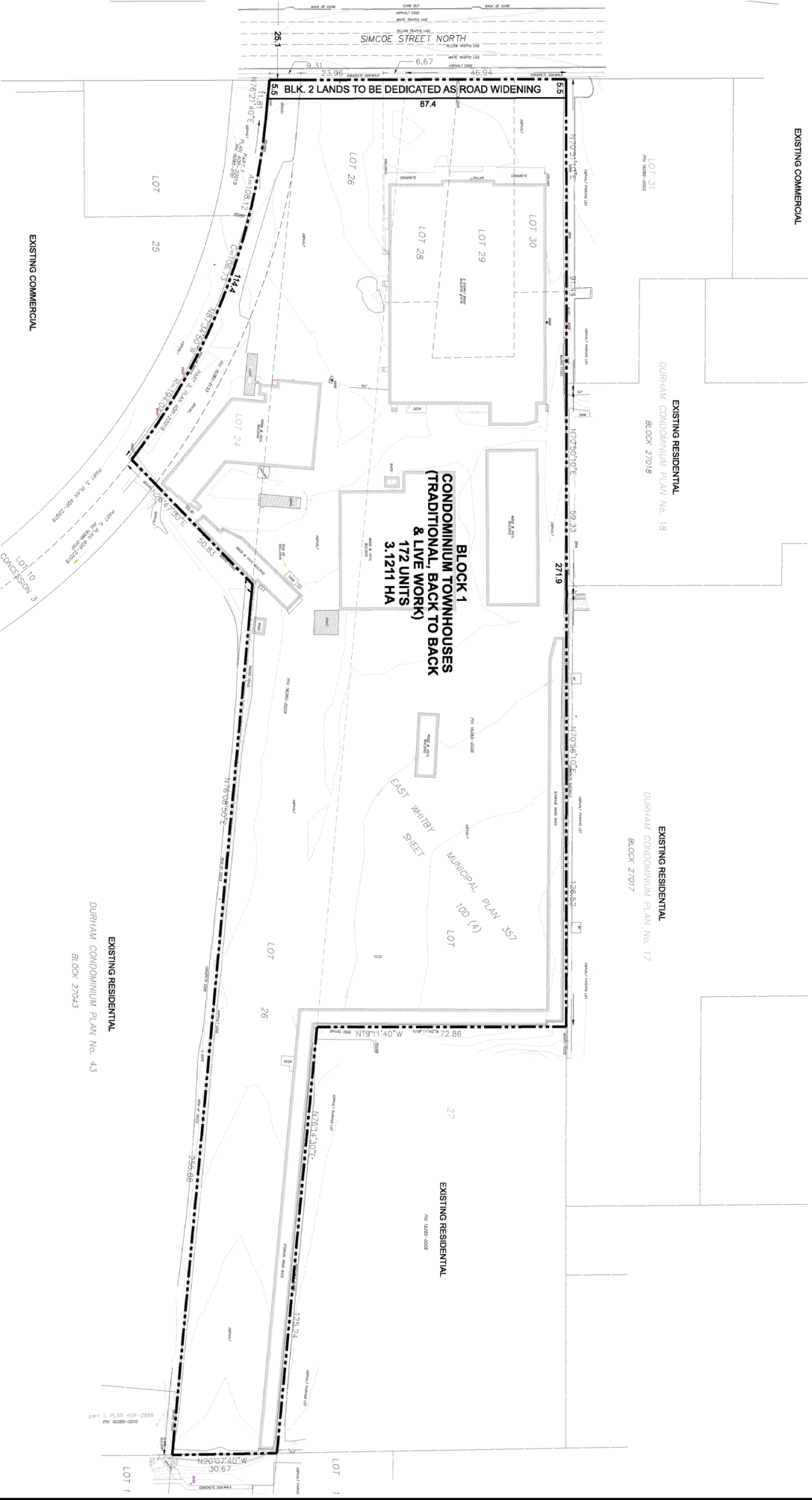
Subject Site



**Item: ED-24-20
Attachment 2**

Title: Proposed Draft Plan of Subdivision
Subject: Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 1279 Simcoe Street North, Katanna Simcoe Ltd.
Ward: Ward 2
File: S-O-2022-05, Z-2022-12

City of Oshawa
 Economic and Development Services



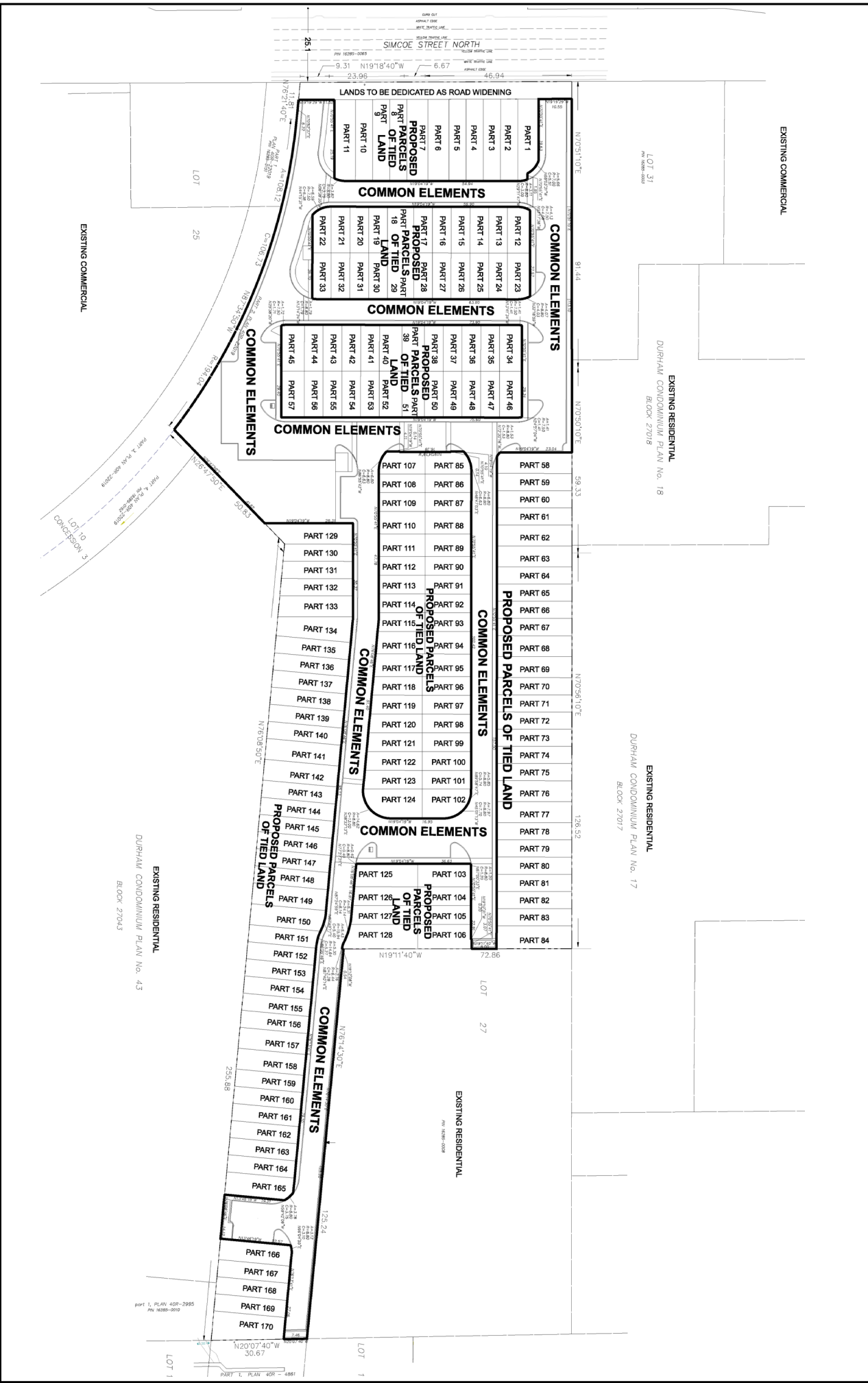
Title: Original Common Elements Draft Plan of Condominium Considered at the January 9, 2023 Public Meeting
 Subject: Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 1279 Simcoe Street North, Katanna Simcoe Ltd.
 Ward: Ward 2
 File: S-O-2022-05, Z-2022-12

Economic and Development Services
 City of Oshawa




Title: Revised Common Elements Draft Plan of Condominium
 Subject: Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 1279 Simcoe Street North, Katanna Simcoe Ltd.
 Ward: Ward 2
 File: S-O-2022-05, Z-2022-12

City of Oshawa
 Economic and Development Services



Title: Original Site Plan 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, 1279 Simcoe Street North, Katanna Simcoe Ltd.
 Ward: Ward 2
 File: S-O-2022-05, Z-2022-12

Economic and Development Services



Title: Revised Site Plan
 Subject: Revised Applications to Amend Zoning By-law 60-94 and for approval of a Draft Plan of Subdivision, 1279 Simcoe Street North, Katanna Simcoe Ltd.
 Ward: Ward 2
 File: S-O-2022-05, Z-2022-12

Economic and Development Services
 City of Oshawa




Site Statistics & Key Plan Legend

Item	Area (sq. m)	Count	Area (sq. m)	Count
Total	23171.03m ²	11103/24m ²	1687.00m ²	108/24m ²
Building Area	11103.24m ²	534	1687.00m ²	108
Open Landscaping Area	12067.79m ²	296	1687.00m ²	108
Open Landscaping Area	12067.79m ²	296	1687.00m ²	108
Open Landscaping Area	12067.79m ²	296	1687.00m ²	108

Types of Units	Area (sq. m)	# of Units
1st Flr (Townhouse)	2151m ²	48
1st Flr (Semi-Block)	1798m ²	80
1st Flr (Semi-Block)	2284m ²	11
1st Flr (Townhouse)	1891m ²	21
Total		159

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

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

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

Declarations of Pecuniary Interest

None.

Application ED-23-01

Presentation

Weston Consulting - Applications to Amend Zoning By-law 60-94

Jane McFarlane, Planner, Weston Consulting 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 for lands located at 1279 Simcoe Street North submitted by Katanna Simcoe Ltd.

Moved by Councillor Giberson

That the presentation be extended by two minutes.

Motion Carried

Jane McFarlane continued to address the Committee concerning the development applications for lands located at 1279 Simcoe Street North submitted by Katanna Simcoe Ltd.

Members of the Committee questioned Jane McFarlane.

Delegations

Cynthia Burtney - 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, 1279 Simcoe Street North, Katanna Simcoe Ltd.

Cynthia Burtney addressed the Committee concerning the development applications for lands located at 1279 Simcoe Street North submitted by Katanna Simcoe Ltd. and expressed concerns with increased traffic and disruptive traffic flow in the area and a reduction of recreational areas on the subject site. Cynthia also expressed concern with the reduced set back for the site, the types of businesses that would be permitted in the Live/Work units and the provision of more accessible and smaller units for seniors.

Moved by Councillor Giberson

That the delegation's time be extended by two minutes.

Motion Carried

Cynthia continued to express concerns to the Committee regarding the subject site with respect to traffic and parking.

Cynthia Metas - 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, 1279 Simcoe Street North, Katanna Simcoe Ltd.

Cynthia Metas addressed the Committee concerning the development applications for lands located at 1279 Simcoe Street North submitted by Katanna Simcoe Ltd. and expressed concern with increased traffic in the area and suggested a new traffic study be completed.

Bruce Ottenbright - 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, 1279 Simcoe Street North, Katanna Simcoe Ltd.

Bruce Ottenbright addressed the Committee concerning the development applications for lands located at 1279 Simcoe Street North submitted by Katanna Simcoe Ltd., noting that there is no parking available for businesses operating in the live/work units.

Tim Dobson - 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, 1279 Simcoe Street North, Katanna Simcoe Ltd.

Tim Dobson addressed the Committee concerning the development applications for lands located at 1279 Simcoe Street North submitted by Katanna Simcoe Ltd., expressing concern with a lack of commercial parking for businesses in the live/work units and the safety and adequacy of the proposed permitted parking.

Members of Council questioned Tim Dobson.

Correspondence

None.

Reports

ED-23-01 - 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, 1279 Simcoe Street North, Katanna Simcoe Ltd. (Ward 2)

Moved by Councillor Kerr

That, pursuant to Report ED-23-01 dated January 4, 2023, concerning the applications submitted by Katanna Simcoe Ltd. to amend Zoning By-law 60-94 (File: Z-2022-12) and for approval of a draft plan of subdivision (File: S-O-2022-05) and a common elements draft plan of condominium (File: C-O-2022-08) to permit 12 live/work block townhouses, 88 block townhouses, 72 back-to-back block townhouses, a road widening block and a private parkette at 1279 Simcoe Street North, 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