

To: Economic and Development Services Committee

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

Report Number: ED-23-65

Date of Report: April 12, 2023

Date of Meeting: April 17, 2023

Subject: Revised Applications to Amend the Oshawa Official Plan,
Samac Secondary Plan and Zoning By-law 60-94,
1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina
Developments Ltd.

Ward: Ward 2

File: OPA-2019-03, Z-2019-12

1.0 Purpose

The purpose of this Report is to provide a recommendation on the revised applications submitted by Karmina Developments Ltd. (the “Applicant”) to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 to permit a new 7-storey apartment building containing 142 studio apartment units at 1664 Simcoe Street North and 17 and 25 Niagara Drive (the “Subject Site”).

The proposed building is intended to be marketed as a condominium and the apartment units are expected to be occupied primarily by students attending Durham College and Ontario Tech University (O.T.U.).

The Subject Site is zoned R3-A/R4-A/R6-A “h-48” (Residential). An apartment building is permitted as-of-right on the Subject Site provided there is compliance with all relevant zoning regulations (e.g. height, parking and residential density). However, the proposed development does not comply with the Oshawa Official Plan, Samac Secondary Plan or Zoning By-law 60-94, necessitating the proposed amendments to these planning documents.

Accordingly, the Applicant has submitted applications to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 to permit the proposed development given its scale and proposed site/building design.

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

Attachment 2 is a copy of the original proposed site plan submitted by the Applicant that was presented at the October 21, 2019 public meeting.

Attachment 3 is a copy of the revised proposed site plan submitted by the Applicant after the public meeting incorporating revisions to address certain technical comments.

A public meeting was held on October 21, 2019 concerning the subject applications. At the conclusion of the meeting, the Development Services Committee adopted a recommendation to refer the applications back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the public meeting form Attachment 4 to this Report.

As requested by the Development Services Committee at the time, the Applicant held a non-statutory community open house on December 2, 2020 to further engage with the local community and to present a revised plan to address concerns that were previously raised.

As a result of the October 21, 2019 public meeting and the December 2, 2020 non-statutory community open house, the Applicant has revised the development proposal. The key differences between the original design (Attachment 2) and the revised design (Attachment 3) are as follows:

- (a) The number proposed studio apartment units has been reduced from 192 to 142;
- (b) The net residential density has been reduced from 800 units per hectare (320 u/ac.) to 592 units per hectare (236 u/ac.);
- (c) The proposed ground floor commercial space has been removed. The original applications proposed to rezone the Subject Site to a MU (Mixed Use) Zone to permit the commercial uses. The Applicant now proposes rezoning the Subject Site to a R6-D (Residential) Zone which does not permit commercial uses;
- (d) The maximum height of the proposed building has been reduced from 9 storeys to 7 storeys with additional height reductions transitioning towards the south lot line of 6 storeys and 4 storeys;
- (e) The minimum building setback to the south lot line has been increased from 1.50 metres (4.92 ft.) to 5.20 metres (17.06 ft.);
- (f) The proposed parking rate per unit has increased from 0.25 spaces per unit to 0.3 spaces per unit; and,
- (g) The proposed number of bicycle parking spaces has increased from 56 spaces to 108 spaces.

2.0 Recommendation

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

1. That, pursuant to Report ED-23-65 dated April 12, 2023, the revised application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan (File: OPA-2019-03) to permit a maximum residential density of 592 units per hectare at 1664 Simcoe Street North and 17 and 25 Niagara Drive 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-23-65 dated April 12, 2023, the revised application submitted by Karmina Developments Ltd. to amend the Samac Secondary Plan (File: OPA-2019-03) to permit a maximum residential density of 592 units per hectare at 1664 Simcoe Street North and 17 and 25 Niagara Drive be approved, generally in accordance with the comments contained in said noted 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.
3. That, pursuant to Report ED-23-65 dated April 12, 2023, the revised application submitted by Karmina Developments Ltd. to amend Zoning By-law 60-94 (File: Z-2019-12) to rezone 1664 Simcoe Street North and 17 and 25 Niagara Drive from R3-A/R4-A/R6-A "h-48" (Residential) to an appropriate R6-D (Residential) Zone to permit a new 7-storey, 142-unit apartment building 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.
4. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-19-186 dated October 16, 2019 presented at the public meeting of October 21, 2019 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 3 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 permit a 7-storey apartment building containing 142 studio apartment units at 1664 Simcoe Street North and 17 and 25 Niagara Drive be approved.

The proposed development is appropriate given the Subject Site's location in an Intensification Area along a Type 'B' Arterial Road and Regional Transit Spine (Simcoe Street North) with good access to transit and nearby amenities, including shopping and the Durham College/Ontario Tech University campus, and can be designed to be compatible with adjacent uses.

The proposed development conforms to the Durham Region Official Plan and Provincial Growth Plan, is consistent with the Provincial Policy Statement, adds to the range of housing forms in the Simcoe Street North Corridor, promotes the appropriate development of an under-utilized site and represents good planning.

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 site plan approval and building permit processes, if the applications are approved.

4.2 Public Comments

The minutes of the public meeting concerning the subject applications form Attachment 4 to this Report. Ten members of the public provided oral comments at the public meeting.

Planning Services received twelve pieces of written correspondence from members of the public regarding the proposed amendments (Correspondence DS-19-190 to DS-19-194, DS-19-198, DS-19-201 to DS-19-203 and DS-19-205 to DS-19-207).

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

4.2.1 Building Height

Comment:

Comments were made expressing concern with the proposed building height.

Staff Response:

The original proposal considered at the October 21, 2019 public meeting was for a 9-storey apartment building. Following the public meeting in 2019 and the non-statutory community open house in 2020, the Applicant has reduced the maximum number of storeys and building height to 7 storeys and 22.60 metres (74.15 ft.). The revised design of the building includes a height step down from 7 storeys to 6 storeys and 4 storeys on the south portion of the building. The section of building closest to the neighbouring property to the south is 4 storeys whereas previously it was 9 storeys.

In addition, the minimum building setback to the south lot line has been increased from 1.5 metres (4.9 ft.) to 5.2 metres (17 ft.).

4.2.2 Density

Comment:

Some individuals expressed concerns regarding the proposed density.

Staff Response:

The original proposal considered at the October 21, 2019 public meeting was for a 192-unit apartment building which equates to a net residential density of 800 u/ha (320 u/ac.). Following the public meeting and the non-statutory community open house, the Applicant has reduced the number of proposed units to 142 which equates to a net residential density of 592 u/ha (236 u/ac.). Density is based on the number of dwelling units on a site, regardless of the size of the units. All of the proposed units are to be studio apartment units. If the 142 studio units were instead 71 two-bedroom units, the density would be 296 units per hectare (118 u/ac.). However, the number of people residing in the building would generally be the same.

4.2.3 Parking

Comment:

Comments were made expressing concern with the amount of the proposed on-site parking supply.

Staff Response:

The original proposal considered at the October 21, 2019 public meeting proposed a parking rate of 0.25 spaces per unit for a 192-unit apartment building. Following the public meeting and the non-statutory community open house, the Applicant has increased the proposed parking rate to 0.3 spaces per unit for the 142-unit apartment building.

In addition, the Applicant has increased the supply of on-site bicycle parking from 56 spaces to 108 spaces, and is no longer proposing commercial floor space.

The Applicant submitted a parking study prepared by Candevcon Limited, a professional traffic consulting firm. The parking study was reviewed by the City's transportation engineers and the conclusions were accepted. The parking rate is appropriate considering each unit is a studio apartment.

4.2.4 Traffic and Congestion

Comment:

Comments were made expressing concern with traffic and congestion in the area and that this proposed development would exacerbate the existing situation.

Staff Response:

Simcoe Street North is designated as a Type 'B' Arterial Road and Regional Transit Spine in the Oshawa Official Plan and Samac Secondary Plan. Type 'B' Arterial Roads are intended to carry moderate levels of traffic, including moderate levels of truck traffic. Simcoe Street North is under the jurisdiction of the Region of Durham.

Niagara Drive is designated as a Collector Road in the Oshawa Official Plan and Samac Secondary Plan. Collector Roads are intended to carry moderate volumes of short distance traffic. Niagara Drive is under the jurisdiction of the City of Oshawa.

A traffic impact study (T.I.S.) prepared by Candevcon Limited was submitted in support of the applications. The T.I.S. concluded that the existing road network can accommodate the trips generated by the proposal. The T.I.S. was reviewed by professional transportation engineers at the City and at the Region of Durham Works Department, and the reviewers have no objections to the key conclusions of the T.I.S.

4.2.5 Intersection Safety

Comment:

Comments were made expressing concern over the safety of drivers turning from Simcoe Street North to Niagara Drive due to delivery drivers stopping on Niagara Drive near the intersection to make deliveries to residents of the apartment building at the northwest corner of Niagara Drive and Simcoe Street North.

Staff Response:

There are currently "No Stopping" signs on both sides of Niagara Drive adjacent to the Subject Site. The southerly leg of Niagara Drive near the Simcoe Street North intersection has three lanes (one westbound, one eastbound, and a centre turning lane).

Staff have investigated creating lay-by parking on the north and/or south sides of the southerly leg of Niagara Drive near its intersection with Simcoe Street North. Due to the existing right-of-way width and the proximity of existing infrastructure, lay-by parking cannot be achieved. As a result, enforcement will continue to be the best tool to prevent delivery drivers from parking on the north side of the south leg of Niagara Drive in the "No Stopping" area. Community and Operations Services staff will investigate installing additional "No Stopping" signage on the southerly leg of Niagara Drive close to the intersection with Simcoe Street North once occupancy of the building has been achieved.

The revised proposed site design includes a surface parking area and a loading area easily accessed from Niagara Drive that delivery drivers will be able to use to park for a short period of time.

Municipal Law Enforcement and Licensing Services staff have advised that they will increase enforcement on the north side of Niagara Drive in the short term. This will augment their first quarter 2023 efforts which resulted in 23 no stopping tickets being issued.

4.2.6 Noise

Comment:

Comments were made expressing concern with increased noise as a result of the proposed development.

Staff Response:

Noises normally associated with residential land uses may be experienced at neighbouring properties.

4.2.7 Privacy

Comment:

Comments were made expressing concern over a potential loss of privacy.

Staff Response:

The original proposal considered at the October 21, 2019 public meeting was for a 9-storey apartment building. Following the public meeting and the non-statutory community open house, the Applicant has reduced the number of storeys and building height to 7 storeys with additional height reductions towards the south lot line of 6 storeys and 4 storeys.

In addition, the minimum building setback to the south lot line has been increased from 1.5 metres (4.9 ft.) to 5.2 metres (17 ft.).

Lastly, to reduce overlook the portion of the building closest to the south lot line does not have any windows facing south.

5.0 Analysis

5.1 Background

The Subject Site is located on the west side of Simcoe Street North, on the south side of the south leg of Niagara Drive (see Attachment 1) and is municipally known as 1664 Simcoe Street North and 17 and 25 Niagara Drive.

The existing Oshawa Official Plan, Samac Secondary Plan and Zoning By-law do not permit the proposed development.

As a result, the Applicant has submitted applications to permit the proposed development.

If the applications are approved, the Applicant intends to submit an application for a draft plan of condominium to register the proposed building as a condominium.

A site plan application (SPA-2019-20) has also been submitted for this property.

The following is background information concerning the subject applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Residential within an Intensification Corridor	To an appropriate High Density Residential designation by adding a site specific policy to permit an increased residential density
Samac Secondary Plan Designation	Medium Density I Residential	To an appropriate High Density Residential designation by adding a site specific policy to permit an increased residential density
Zoning By-law 60-94	R3-A/R4-A/R6-A “h-48” (Residential)	To an appropriate R6-D (Residential) Zone to implement the proposed site design with site specific conditions to permit certain performance standards such as, but not necessarily limited to, increased residential density and building height, reduced front, exterior and interior side yard depths and reduced parking, and reduced setback of a parking area to a streetline.
Use	Former sales office	7-storey apartment building containing 142 studio apartment units

The following land uses are adjacent to the Subject Site:

- **North** Niagara Drive, beyond which is a mixed use building containing 133 apartment units and ground floor commercial uses at 1700 Simcoe Street North
- **South** Block townhouse dwellings at 19 Niagara Drive, beyond which is the Oshawa District Shrine Club
- **East** Simcoe Street North, beyond which are three single detached dwellings and a 15 unit apartment building
- **West** Single detached dwellings on Niagara Drive and Canadore Crescent

The following are the proposed development details (see Attachment 2) for the Subject Site:

Site Statistics Item	Measurement
Lot Frontage (Simcoe Street North)	37.70m (123.70 ft.)
Gross Lot Area (inclusive of road widening)	0.25 ha (0.63 ac.)
Net Lot Area (exclusive of road widening)	0.24 ha (0.60 ac.)
Number of Proposed Apartment Units	142 studio apartment units [each unit 25 sq. m. to 46 sq. m. (270 sq. ft. to 495 sq. ft.) in floor area]
Maximum Net Residential Density Permitted	60 u/ha (24 u/ac.) (14 units)
Proposed Net Residential Density	Approximately 592 u/ha (236 u/ac.)
Maximum Building Height Permitted	10.50m (34.45 ft.)
Proposed Building Height	22.60m (74.15 ft.) (maximum 7 storeys, stepping down to 6 and 4 storeys)
Proposed Floor Space Index	2.20
Parking Spaces Required for Condominium Apartment Units	249 (1.45 spaces per unit for residents plus 0.3 spaces per unit for visitors)
Parking Spaces Proposed for Condominium Apartment Units	43 (0.23 spaces per unit for residents plus 0.07 spaces per unit visitors)
Number of Bicycle Parking Stalls Proposed	108
Loading Spaces Required	0
Loading Spaces Proposed	1

On March 6, 2023 the Economic and Development Services Committee held a Planning Act public meeting regarding proposed City-initiated amendments to the Oshawa Official Plan (O.O.P.) and Zoning By-law 60-94 related to the City of Oshawa Parking Study. Report ED-23-37 dated March 1, 2023 proposed that the separate parking rates based on tenure (i.e. condominium versus rental) be eliminated for apartment buildings. In lieu of this approach, an alternative parking rate based on the size of the apartment units (e.g. bachelor units, one-bedroom units, two-bedroom units, three-bedroom units, etc.) was proposed.

Further, Report ED-23-37 proposed introducing a specific parking requirement for any housing development that meets the proposed new definition of “student housing”, which would include buildings within an MU (Mixed Use) Zone adjacent to or in proximity to Simcoe Street North between Conlin Road and the East Branch of the Oshawa Creek East Branch and that contain residential accommodation for students, employees or persons in short-term residence at a university or community college. For such buildings, Report ED-23-37 proposed a parking rate of 0.2 parking spaces per bed and 0.07 parking spaces per bed for visitors.

Based on these proposed City-initiated amendments to Zoning By-law 60-94, the subject proposed development would require 35 parking spaces calculated as follows:

- 28 resident parking spaces for the 142 studio apartment units (0.2 spaces per bed); and
- 7 parking spaces for visitors.

The Applicant proposes 33 resident parking spaces (0.23 spaces per unit) and 10 parking spaces for visitors (0.07 spaces per unit).

5.2 Oshawa Official Plan

The Subject Site is designated Residential in the Oshawa Official Plan (the “O.O.P.”).

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

The O.O.P. contains policies which establish various density types and provide general locational criteria for such densities. Table 2: Residential Density Classification has five density categories, with the highest density being High Density II Residential category. This category permits 150 to 300 units per hectare (60 to 120 u/ac.) for locations other than within the Downtown Oshawa Urban Growth Centre, subject to general locational criteria as follows:

- (a) Generally located within or at the periphery of the Downtown Oshawa Urban Growth Centre, or in proximity to arterial roads within the Main Central Areas, Sub-Central Areas Community Central Areas or within Intensification Areas along Regional Corridors; and
- (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.

Although the Subject Site meets the above mentioned locational criteria as it is within an Intensification Area along a Regional Corridor, the proposed residential density exceeds the maximum allowed under the O.O.P. anywhere in the City.

The Applicant proposes 142 studio apartment units, each with one bed. The proposed development has a net residential density of approximately 592 u/ha (236 u/ac.). Accordingly, an Official Plan Amendment is required to permit the proposed development by adding a site specific policy to permit the proposed increased residential density.

The Subject Site is located on a Regional Corridor and within an Intensification Area.

The O.O.P. specifies, in part, that Regional Corridors shall be planned and developed as mixed-use areas in accordance with the principles outlined in Policy 2.1.6.2 of the O.O.P. and the relevant policies of the underlying land use designation(s), with the objectives of achieving higher density, intensive and compact built form and complementary mixed uses. Development within Regional Corridors shall facilitate and complement higher order transit services, walking and cycling with an emphasis on pedestrian-oriented design that

is focused upon and reinforces the public realm. In this regard, development shall facilitate efficient multi-modal transportation links between, and connections to, the Downtown Main Central Area, the Windfields Main Central Area, Sub-Central Areas and Community Central Areas in Oshawa, as well as Regional Centres and other Centres in adjacent municipalities.

The O.O.P. specifies, in part, that development within Intensification Areas along Regional Corridors shall be planned to support an overall long-term density target of at least 60 residential units per gross hectare (24.28 residential units/gross ac.) and a Floor Space Index of 2.5. It also specifies that buildings at corner locations are to be taller than buildings in mid-block locations.

Policy 6.7 of the O.O.P. specifies:

- (a) The City shall encourage a range of housing accommodation appropriate for the needs of the students enrolled in programs offered by the Ontario Tech University, Trent University, Queen's University and Durham College;
- (b) The City shall encourage an appropriate supply of off-campus student accommodation in appropriate locations including predominantly along arterial road corridors, in a purpose built north student village area and within and around the Downtown Oshawa Urban Growth Centre; and,
- (c) The City shall support, in accordance within Section 4.0 of this Plan, financial incentives for multi-unit residential development along the arterial road corridors near the main north campus of Durham College and the Ontario Tech University, and near Trent University in Oshawa.

The O.O.P. specifies, in part, that the City shall focus residential intensification in appropriate areas within the Downtown Oshawa Urban Growth Centre, Main Central Areas and SubCentral Areas, Transportation Hubs and Commuter Station areas, the Oshawa Harbour Special Development Area, Intensification Areas along Regional and Local Corridors and any other urban areas considered by the City in accordance with Policy 6.4.6, to be appropriate locations for residential intensification, in order to achieve the goals of Policy 6.4.5:

- (a) Accommodate a significant portion of the City's future population growth and assist in achieving the City's annual residential intensification target set out in Policy 1.7;
- (b) Provide for a diverse range and mix of housing types, taking into account affordable housing needs;
- (c) Support efforts to develop active, vibrant neighbourhoods through the provision of a diverse and compatible mix of land uses, high quality public spaces, access to a variety of amenities in reasonable walking distance of residential areas, and development based on site design standards that create attractive, vibrant places and favour the needs of pedestrians and cyclists as a primary design consideration;

- (d) Support transit, walking and cycling as feasible utilitarian and recreational travel options, such as through the implementation of well-connected street networks and active transportation facilities; and,
- (e) Contribute to the achievement of healthy, attractive, complete and sustainable communities.

The Subject Site is shown as a High Volume Recharge Area (H.V.R.A.) on Schedule 'D-2', Environmental Management, and Schedule 'F-1B', High Volume Recharge Areas and Greenbelt Natural Heritage System. Policy 5.6.2 states that the City may require that appropriate studies be undertaken prior to approval of any development in these areas and that development incorporate mitigative measures or stormwater management design practices to maintain an adequate water budget and ground water functions for these areas. Similar studies and mitigative measures may be required to ensure that the development will not adversely impact the groundwater through contamination.

Simcoe Street North is designated as a Type 'B' Arterial Road and a Regional Transit Spine and Niagara Drive is designated as a Collector Road.

This Department has no objection to the approval of the revised application to amend the Oshawa Official Plan to permit High Density II Residential development on the Subject Site to facilitate the proposed apartment building. Section 5.7 of this Report sets out the rationale for this position.

5.3 Samac Secondary Plan

The Subject Site is designated Medium Density I Residential in the Samac Secondary Plan.

The Samac Secondary Plan specifies, in part, that areas designated Medium Density I Residential on Schedule "A" Samac Land Use and Street Plan shall be predominantly used for residential dwellings.

The Medium Density I Residential Designation generally includes such uses as single detached dwellings, semi-detached dwellings, duplexes and townhouses at a density of 30 to 60 units per hectare (12 to 24 u/ac.).

The Applicant proposes 142 studio apartment units, each with one bed. The proposed development has a net residential density of approximately 592 u/ha (236 u/ac.). Accordingly, a Samac Secondary Plan Amendment is required to permit the proposed development by adding a site specific policy to permit the proposed increased residential density.

This Department has no objection to the approval of the revised application to amend the Secondary Plan for the Samac Community to permit High Density II Residential development on the Subject Site to facilitate the proposed apartment building, while maintaining existing permissions for Medium Density I Residential uses. Section 5.7 of this Report sets out the rationale for this position.

5.4 Zoning By-law 60-94

The Subject Site is currently zoned R3-A/R4-A/R6-A “h-48” (Residential) which permits street townhouses, block townhouses and apartments subject to compliance with various regulations including, but not limited to, maximum permitted residential density, maximum building height, minimum required parking and minimum required building setbacks. The proposed development does not comply with the regulations.

The R6-A Zone permits an apartment building with a maximum residential density of 60 units per hectare (24 u/ac.) resulting in a maximum of 14 units on the Subject Site and a maximum height of 10.50 metres (34.45 ft.) (approximately 3 storeys). The R6-A Zone does not permit any commercial uses.

The Applicant has submitted a revised application to amend Zoning By-law 60-94 to permit a 7-storey apartment building containing 142 studio apartment units. The proposed amendment would rezone the subject site to an appropriate R6-D (Residential) Zone to permit the proposed development and would include a special condition with site specific regulations that implement the proposed building/site design including regulations related to increased maximum permitted residential density and building height, reduced minimum building setbacks to the front yard, exterior side yard and interior side yard, reduced minimum required parking and reduced setback of a parking area to a streetline.

The existing “h-48” Holding Symbol applying to the Subject Site requires that prior to redevelopment, the following conditions be fulfilled:

- (a) Site plan approval is obtained from the City;
- (b) Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the satisfaction of the Region and City;
- (c) Driveway access is addressed to the satisfaction of the Region and City;
- (d) Noise mitigation is addressed to the satisfaction of the City; and,
- (e) Any necessary cross-access easements are created to the satisfaction of the City.

In the interim, all lawfully existing uses in existing buildings as of July 17, 2006 are permitted.

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

- Rezone the Subject Site from R3-A/R4-A/R6-A “h-48” (Residential) to an appropriate R6-D (Residential) Zone to permit a maximum of 142 apartment units;
- Implement special zoning regulations to facilitate the proposed site and building designs, including such matters as increased maximum permitted residential density and building height, reduced minimum building setbacks to the front yard, exterior side

yard and interior side yard, reduced minimum required parking and reduced setback of a parking area to a street line; and,

- Maintain the “h-48” holding symbol on the zoning of the Subject Site.

This Department recommends that the current “h-48” holding symbol continue to be applied to the zoning of the Subject Site. The purpose of the “h” holding symbol would be to restrict development of the proposed apartment building until such time as appropriate arrangements have been made with the City or the Region to address the various conditions noted above.

This Department has no objection to the approval of the revised application to amend Zoning By-law 60-94. Section 5.7 of this Report sets out the rationale for this position.

5.5 Student Accommodation Strategy

On April 27, 2010, City Council approved a Student Accommodation Strategy (2010 Strategy). The overall purpose of the 2010 Strategy was to identify, plan for and facilitate a sufficient mix of quality student accommodations that would integrate with the community and advance sound planning and building principles.

The Applicant’s intention is to provide studio units. The Applicant is of the opinion that there is a demand for studio (one-bed) units in proximity to the campus for those students who would prefer to live independently.

5.6 Site Design/Land Use Considerations

The Applicant proposes to develop a 7-storey apartment building transitioning to six storeys and then 4 storeys, containing 142 studio apartment units at the Subject Site. The apartment units are intended to be marketed primarily to students attending Durham College and O.T.U.

The 142 apartment units are to be contained within a building proposed to include on-site amenities for residents such as a gym, study lounge and multi-media rooms.

Driveway access exists from Simcoe Street North and is proposed to be closed. Driveway access also exists from Niagara Drive and is proposed to remain as the sole driveway access. The site design would allow for cross access to be maintained to the property to the south which has no direct vehicular access of its own.

In support of the proposed site design/development the Applicant has submitted a variety of plans and documents including a site plan, floor plans, elevations, landscape plan, lighting plan, grading plan, servicing plan, a planning rationale report, a shadow impact study, a functional servicing and stormwater management report, traffic impact and parking study, an environmental site assessment, an archeological assessment, a noise report and a geotechnical report.

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

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

- (a) Site/building design matters including waste collection, loading area, building architecture, and building setbacks;
- (b) Noise impacts;
- (c) Lighting impacts;
- (d) The need to maintain cross access to property to the south;
- (e) Appropriate landscaping and fencing; and,
- (f) Storm water management, grading and servicing matters.

5.7 Basis for Recommendation

This Department has no objection to the revised applications to amend the Oshawa Official Plan, the Secondary Plan for the Samac Community and Zoning By-law 60-94 for the following reasons:

- (a) Developing underutilized properties to a more intensive use in an Intensification Area conforms to the Provincial Growth Plan and is consistent with the Provincial Policy Statement.
- (b) The proposed development conforms to the Durham Regional Official Plan.
- (c) The Subject Site is already zoned to permit apartment buildings albeit at a lower density and lower height.
- (d) The proposed development is an appropriate use, form and scale of development given its location in an Intensification Area and at a corner location.
- (e) The proposed development is transit supportive given its proximity to Durham Region Transit and GO Transit bus stops.
- (f) The proposed development can be designed to be compatible with adjacent land uses.
- (g) The proposed development will make efficient use of existing municipal services such as water and sanitary services.
- (h) The population increase of 142 in 142 studio apartments is consistent with the population increase that would be attributable to a 71 unit apartment building with 2 bedroom units or a 48 unit apartment building with 3 bedroom units.
- (i) The proposed development represents good planning.

6.0 Financial Implications

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

7.0 Relationship to the Oshawa Strategic Plan

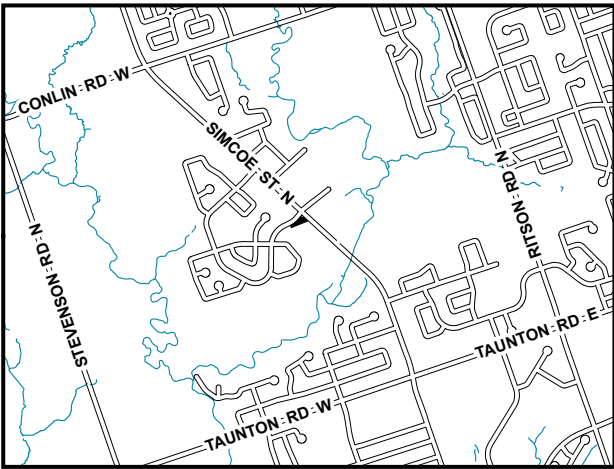
The Recommendation advances the Economic Prosperity and Financial Stewardship goal of the Oshawa Strategic Plan.



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



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



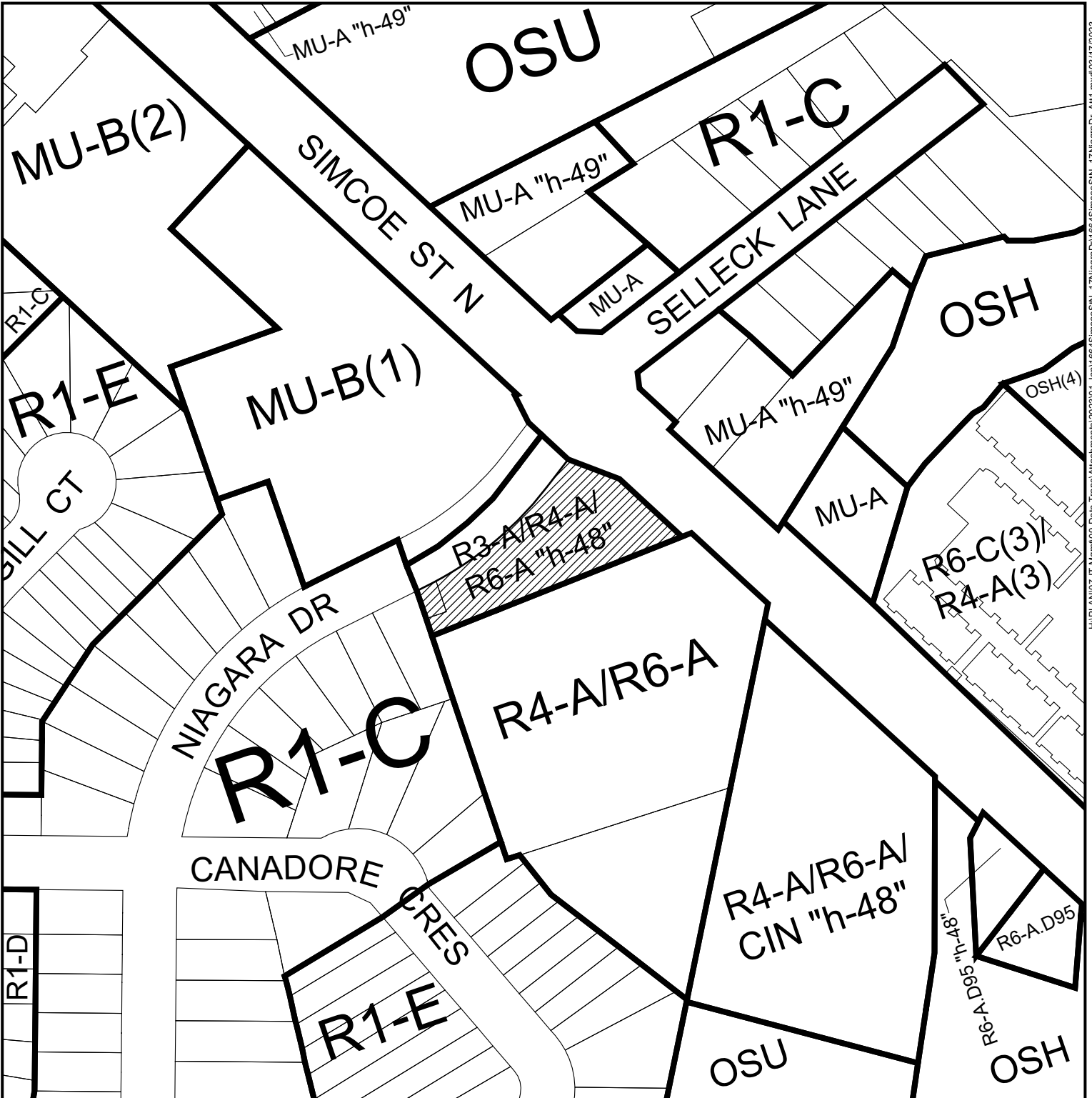
**Item: ED-23-65
Attachment 1**

Economic and Development Services

Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94,
Address: 1664 Simcoe Street North, 17 and 25 Niagara Drive
Ward: Ward 2
File: OPA-2019-03, Z-2019-12

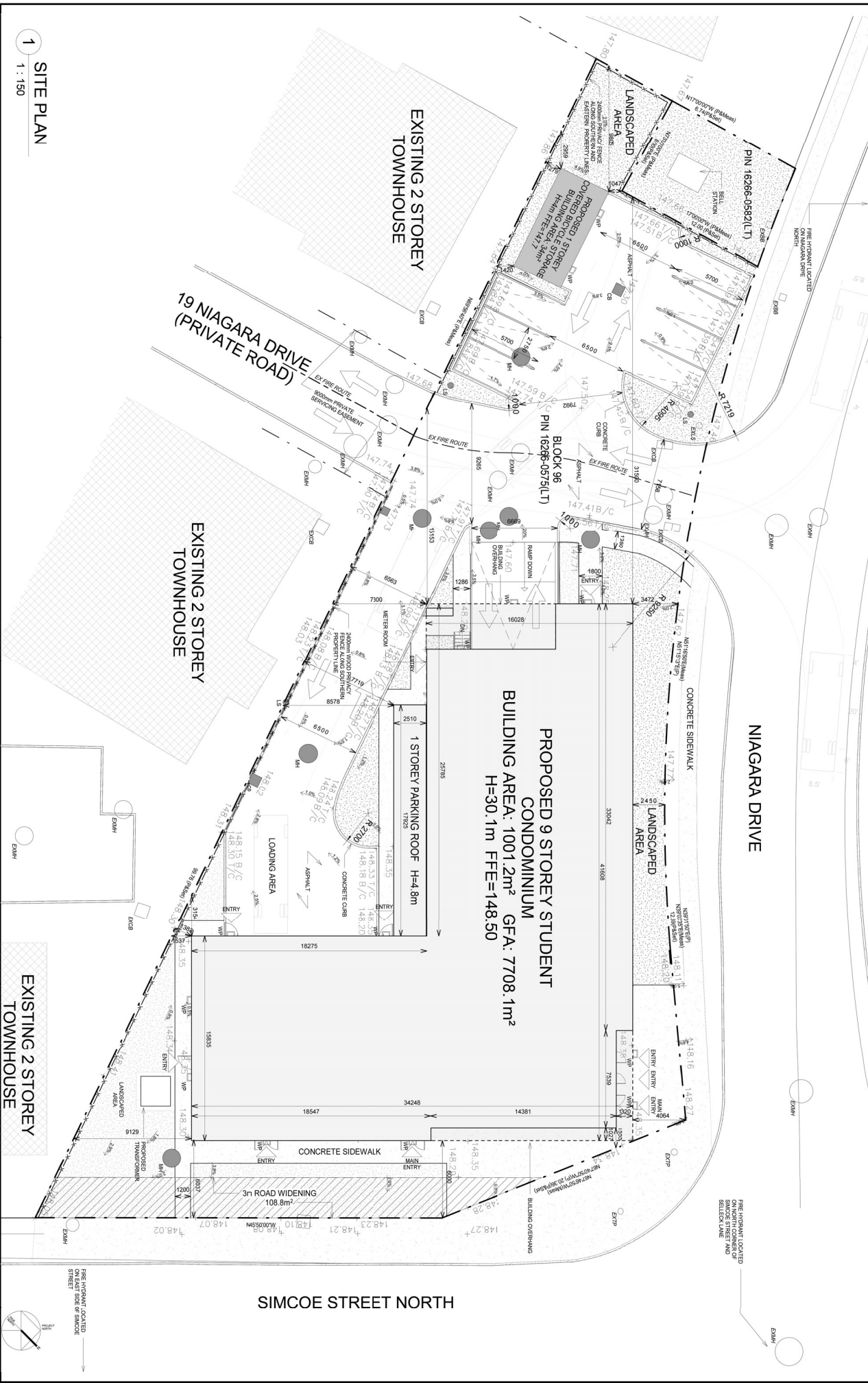
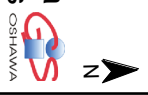


Subject Site

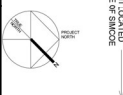


Title: Applicant Submission - Original Site Plan
 Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94
 Address: 1664 Simcoe Street North - 17 and 25 Niagara Drive
 Ward: Ward 2
 File: OPA-2019-03, Z-2019-12

City of Oshawa
 Economic and Development Services

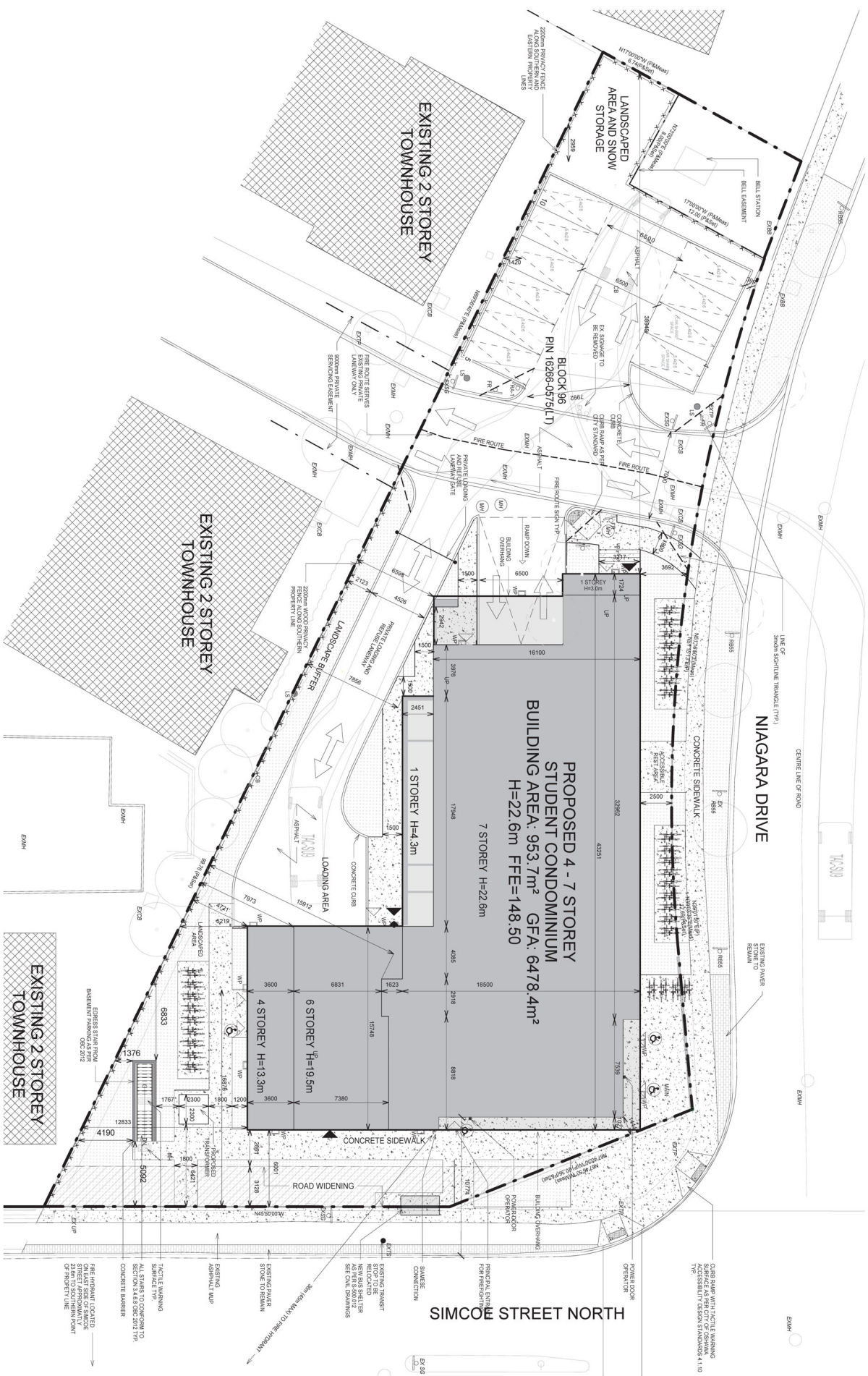


1 SITE PLAN
1 : 150



Title: Applicant Submission - Revised Site Plan
 Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94
 Address: 1664 Simcoe Street North - 17 and 25 Niagara Drive
 Ward: Ward 2
 File: OPA-2019-03, Z-2019-12

City of Oshawa
 Economic and Development Services

Excerpts from the Minutes of the Development Services Committee Meeting held on October 21, 2019

Application 2: DS-19-186

Presentation

Rodger Miller, Miller Planning Services provided an overview of the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive.

The Committee questioned Rodger Miller, Miller Planning Services.

Delegations

Nancy McDowell addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating concerns related to the fit of the proposed development with the current neighbourhood, increased density, traffic, access and parking, emergency services and management, noise and safety.

Joanne Ferguson addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating concerns related to the size and scale of the proposed development, increased density, traffic, access and parking, emergency services and management, noise and safety.

Peter Jamieson addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating concerns related to increased density, traffic, access and parking, emergency services and management, noise and safety.

Payge McIntire addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating concerns related to increased density, traffic, access and parking, emergency services and management, noise, safety and privacy.

Gerry McGhee addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating he concurs with the previous speakers' points and provided specific concerns related to increased density and noise.

Lydia Bartkiw addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating she concurs with the previous speakers' points and provided specific concerns related to increased density and safety.

Emil Hanzelka addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating concerns related to the rezoning and fit of the proposed development with the current neighbourhood while referencing Correspondence DS-19-202 and Report DS-19-186.

Irena Leott addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating she concurs with the previous speakers' points and provided specific concerns related to lighting, parking, increased density, speeding, traffic, and safety.

Alfred Bone addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating he concurs with the previous speakers' points and provided specific concerns related to traffic and the proposed development becoming a lodging home.

Lynda Surpeyka addressed the Development Services Committee in opposition to the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 for lands at 1664 Simcoe Street North, 17 and 25 Niagara Drive stating she concurs with the previous speakers' points and provided specific concerns related to traffic and safety.

Correspondence

DS-19-190 Irene Standish Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

DS-19-191 Barb Twining Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

DS-19-192 Patricia MacMillan Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

- DS-19-193 Christene Prosser Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-194 Duane Dorfman Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-198 Residents of Niagara Drive Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-201 Tim Bird Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-202 J Emil Hanzelka Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-203 Mark Olan Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-205 Karl Neubauer Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-206 Karen Waterfield Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.
- DS-19-207 Adrian Barrios Submitting Comments in Opposition to the Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

Moved by Mayor Carter,

“That all correspondence concerning the application submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 at 1664 Simcoe Street North, 17 and 25 Niagara Drive be referred to staff for consideration in the future recommendation report on the matter.” Carried

Reports

DS-19-186 Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

Moved by Mayor Carter,

“That pursuant to Report DS-19-186 dated October 16, 2019 the applications submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan and the Samac Secondary Plan (File OPA-2019-03) and to amend Zoning By-law 60-94 (File Z-2019-12) to permit a 9-storey mixed use building containing 192 bachelor apartment units and 120 square metres (1,292 sq. ft.) of ground floor commercial space at 1664 Simcoe Street North and 17 and 25 Niagara Drive be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.” Carried on the following vote

Affirmative – Councillors Hurst, McConkey, Marimpietri and Mayor Carter

Negative – None

Absent – Councillors Chapman and Kerr

Adjournment

Moved by Mayor Carter,

“That the meeting adjourn.” Carried

The meeting adjourned at 8:40 p.m.