

To: Economic and Development Services Committee

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

Report Number: ED-24-138

Date of Report: November 27, 2024

Date of Meeting: December 2, 2024

Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 111 and 117 King Street East and 0 Athol Street East, 2856355 Ontario Inc.

Ward: Ward 4

File: OPA-2024-03, Z-2024-04

1.0 Purpose

The purpose of this Report is to provide a recommendation on the applications submitted by A.J. Clarke and Associates Ltd. (the “Applicant”) on behalf of 2856355 Ontario Inc. (the “Owner”) to amend the Oshawa Official Plan (the “O.O.P.”) and Zoning By-law 60-94 to permit a new mixed-use building consisting of a podium with three (3) towers ranging in height from 31 storeys to 37 storeys containing a total of 1,308 apartment units and 1,374 square metres (14,793 sq. ft.) of commercial floor space on lands municipally known as 111 and 117 King Street East and 0 Athol Street East (the “Subject Site”).

The former Oshawa Clinic building, which was designated by By-law 56-2024 under Section 29, Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18 (the “Ontario Heritage Act”) in April 2024, is located on the Subject Site. A portion of the building is proposed to be retained and incorporated into the podium of the new building proposed for the Subject Site.

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 site plan at ground level submitted by the Applicant.

Attachment 3 is a copy of the proposed site plan at roof level submitted by the Applicant.

Attachment 4 is a diagram submitted by the Applicant as part of the Heritage Impact Assessment illustrating the portion of the designated heritage building (the former Oshawa

Clinic) proposed to be retained and integrated into the façade of the proposed development.

Attachments 5, 6 and 7 are elevation drawings submitted by the Applicant illustrating how the retained portion of the façade of the heritage designated building (the former Oshawa Clinic) will be integrated into the proposed development.

Attachment 8 is a conceptual rendering submitted by the Applicant illustrating the visual prominence of the retained portion of the former Oshawa Clinic building façade at street level.

Attachment 9 is a list of uses permitted in the UGC-A (Urban Growth Centre) Zone.

A public meeting was held on October 7, 2024, concerning the subject applications. At the conclusion of the 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 public meeting form Attachment 10 to this Report.

2.0 Recommendation

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

1. That, pursuant to Report ED-24-138 dated November 27, 2024, the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to amend the Oshawa Official Plan (File: OPA-2024-03) to permit a new mixed-use building having a residential density of 1,622 units per hectare (656 u/ac.) on lands municipally known as 111 and 117 King Street East and 0 Athol Street East 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, Economic and Development Services Department, and the City Solicitor.
2. That, pursuant to Report ED-24-138 dated November 27, 2024, the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to amend Zoning By-law 60-94 (File: Z-2024-04) to permit a new mixed-use building consisting of a podium with three (3) towers ranging in height from 31 storeys to 37 storeys containing a total of 1,308 apartment units and 1,374 square metres (14,793 sq. ft.) of commercial floor space on lands municipally known as 111 and 117 King Street East and 0 Athol Street East 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, Economic and Development Services Department, and the City Solicitor.

3.0 Input From Other Sources

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

3.2 Public Comments

The minutes of the October 7, 2024, public meeting concerning the subject applications form Attachment 10 to this Report. No comments from the public were received at the public meeting.

Planning Services received two pieces of written correspondence from the public with respect to the subject applications containing comments and expressing objections to the applications.

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

3.2.1 Noise Pollution, Traffic and Congestion

Comment:

A concern was expressed regarding increased noise pollution, traffic and congestion resulting from the proposed development.

Staff Response:

The current zoning of the Subject Site permits the redevelopment of the Subject Site, albeit with fewer dwelling units and a lesser building height.

The proposed development will have driveway accesses on Charles Street, King Street East and Mary Street South.

King Street East and Mary Street South are respectively identified as Type "B" and Type "C" Arterial Roads on Schedule "B", Road Network, of the O.O.P. King Street East is also identified as a Regional Transit Spine on Schedule "B-1", Transit Priority Network, of the O.O.P. Athol Street East and Charles Street are local roads. All four roads are under the jurisdiction of the City of Oshawa.

Type "B" Arterial Roads are intended to carry moderate volumes of traffic, including moderate volumes of truck traffic. Type "C" Arterial Roads are intended to carry relatively lower volumes of traffic, including lower volumes of truck traffic.

The Applicant hired WSP, a professional consulting company with transportation engineering expertise, to prepare a Transportation Impact Study (T.I.S.). The key conclusions of the T.I.S. are as follows:

- The proposed development is expected to generate a total of 236 two-way trips during the weekday morning peak hour traffic period consisting of 77 inbound trips and 159 outbound trips, and a total of 281 two-way trips during the weekday afternoon peak hour traffic period consisting of 163 inbound trips and 118 outbound trips.
- Under future traffic forecasts, the traffic generated by the proposed development can be accommodated by the existing street system and will not have adverse impacts on the study intersections.

Professional transportation engineering staff at the City of Oshawa and the Region of Durham have reviewed the T.I.S. and have no objection to its conclusions.

It is not clear from the written comment how the proposed new building will increase “noise pollution”. The Subject Site is in an urban environment where background sounds are dominated by activities of people, usually road traffic, particularly from arterial roads like King Street East. There are many buildings surrounding the Subject Site that would emit the comparable levels of noise from mechanical equipment, including the Tribute Communities Centre. If the applications are approved, the Applicant will be required to submit a noise study that addresses the impacts new external mechanical equipment on existing surrounding dwelling units, and the impact of surrounding mechanical equipment on the proposed new dwelling units. At the Site Plan Approval application stage, measures to mitigate these impacts will be required to be implemented in the building design.

3.2.2 Construction Impacts

Comment:

A concern was expressed concerning the impact of noise and traffic on the neighbourhood while the proposed development is under construction.

Staff Response:

The current zoning of the Subject Site permits the redevelopment of the site, albeit with fewer dwelling units and a lesser building height.

Construction noise may be an inconvenience for neighbours during the construction period. Through the site alteration process and the City’s Noise By-law, the City has controls for noise, dust, mud, site drainage and hours of construction.

The City works with all developers to ensure roads and pedestrian routes remain open during construction and any obstructions to vehicle lanes are temporary.

3.2.3 Loss of Existing Parking

Comment:

A concern was expressed regarding the loss of the publicly accessible private parking lot.

Staff Response:

The current zoning of the Subject Site permits the redevelopment of the site, albeit with fewer dwelling units and a lesser building height. While parking is a factor requiring close consideration for the Downtown Oshawa Urban Growth Centre (the “D.O.U.G.C.”), large surface parking lots are not the ideal use of land in a community’s downtown.

The south portion of the Subject Site contains a publicly accessible private parking lot with 168 spaces. This parking lot is not owned or managed by the City. This parking lot is owned by the Owner and is intended to primarily support the offices currently on the Subject Site. The Applicant proposes to redevelop the entire Subject Site for a new mixed-use apartment building containing 1,308 dwelling units. It is important to note that the Subject Site could be redeveloped under the existing UGC-A (Urban Growth Centre) zoning with a new mixed-use building containing up to 807 dwelling units, subject to compliance with regulations related to maximum building height and minimum required parking and building setbacks.

The Subject Site is in proximity to several City-owned parking facilities, including Parkade 3 on Mary Street. The Subject Site is also in proximity to other publicly accessible private parking lots. Further, the Subject Site is close to bus stops for several Durham Region Transit (“D.R.T.”) routes, including the Pulse 900 and 901 routes which provide high frequency bus service, as well as active transportation infrastructure, including the Mary Street bike lane and the Michael Starr Trail.

The Subject Site is located within that portion of the D.O.U.G.C. known as “Area A” on Schedule “D”, Downtown Parking/Loading Exempt area, in Zoning By-law 60-94. Area A does not require loading spaces, parking spaces for commercial uses or visitor parking spaces for residential apartment developments, and provides a reduced resident parking rate for residential uses. Nevertheless, the Applicant is proposing two underground loading spaces as well as 831 residential parking spaces, which exceeds the minimum parking requirement of 782 parking spaces.

Redeveloping a surface parking lot to a more intensive use in the D.O.U.G.C. is consistent with the Provincial Planning Statement, 2024, and the policies of the Oshawa Official Plan that encourage residential intensification as a sustainable option that endeavors to address the issue of housing affordability, make better use of existing municipal services and facilities, create more of a compact, transit-supportive, pedestrian friendly and energy-efficient urban form, and help promote active transportation.

3.2.4 Impact on Downtown Services

Comment:

A comment was received regarding the capacity of the available services in downtown Oshawa to accommodate an influx of new residents.

Staff Response:

The current zoning of the Subject Site permits the redevelopment of the site, albeit with fewer dwelling units and a lesser building height.

The Subject Site is located within the D.O.U.G.C., which is the City's primary focus area for higher density residential development as well as major office, service, commercial, institutional, recreational, cultural and entertainment uses. Policies in the O.O.P. encourage public services that serve a City-wide or regional market to locate in the D.O.U.G.C. It has been an objective of the O.O.P. to achieve an overall minimum gross density target of 200 residents and jobs combined per hectare in the D.O.U.G.C. since 2006, when the Provincial Growth Plan was approved. Residential intensification in the D.O.U.G.C. supports the efficient use of existing and planned services.

The proposed development will contain communal rooftop and indoor amenity spaces as well as private balconies for certain apartment units, which will provide recreation and socialization space for residents. Future residents will have access to a variety of transportation options, including existing and planned interregional transit.

The Applicant intends to incorporate 1,374 square metres (14,793 sq. ft.) of non-residential floor space in the proposed development which can be leased for new businesses and services to support the development and existing residents.

4.0 Analysis

4.1 Background

The Subject Site is generally bounded by King Street East to the north, Charles Street to the east, Athol Street East to the south and Mary Street South to the west, and is municipally known as 111 and 117 King Street East and 0 Athol Street East (see Attachment 1).

The Subject Site is currently occupied by medical office buildings ranging in height from two (2) to eight (8) storeys, including a building designated under the Ontario Heritage Act (the former Oshawa Clinic), and a privately-owned paid surface parking lot containing 168 parking spaces. The proposed development is a new mixed-use building consisting of a podium with three (3) towers ranging in height from 31 storeys to 37 storeys containing a total of 1,308 apartment units and 1,374 square metres (14,793 sq. ft.) of commercial floor space.

The Owner owns the lands immediately to the east of the Subject Site across Charles Street. These lands, which are municipally known as 13, 15 and 29 Charles Street, are

subject to Official Plan and Zoning By-law Amendment applications (Files: OPA-2024-04 and Z-2024-05, respectively). The purpose of these applications is to permit a new 25-storey mixed-use building containing 408 student apartment units and 3,323 square metres (35,770 sq. ft.) of commercial floor space. A recommendation for these applications will be advanced by this Department through a separate report.

On September 23, 2024, Council passed By-law 112-2024, being a by-law to amend Zoning By-law 60-94. One of the effects of By-law 112-2024 was to replace the CBD (Central Business District) Zones with new UGC (Urban Growth Centre) Zones. As a result, the zoning of the Subject Site is now UGC-A (Urban Growth Centre). No appeals to By-law 112-2024 were submitted and therefore the by-law came into full force and effect on October 18, 2024.

The following is background information concerning the subject applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area Boundary	Downtown Oshawa Urban Growth Centre within the Downtown Main Central Area subject to a site specific policy to permit a maximum residential density of 1,622 units per net hectare (656 u/ac.)
Zoning By-law 60-94	UGC-A (Urban Growth Centre)	An appropriate site specific UGC-A (Urban Growth Centre) Zone to implement the proposed development with site specific regulations to permit certain performance standards related to matters such as, but not necessarily limited to, increased residential density, building height and maximum building setbacks
Use	Medical office buildings ranging in height from two (2) to (8) storeys, including a building designated under Section 29, Part IV of the Ontario Heritage Act (the former Oshawa Clinic), and a surface parking lot.	A new mixed-use building consisting of a 4-storey podium and three (3) towers ranging in height from 31 storeys to 37 storeys, containing a total of 1,308 apartment units and 1,374 sq. m. (14,793 sq. ft.) of commercial floor space

The following land uses are adjacent to the Subject Site:

- **North** King Street East, beyond which is a variety of one (1) and two (2) storey commercial buildings and a City-owned parking structure (Parkade 3)

- **South** Athol Street East, beyond which is Ontario Tech University – Charles Hall and the Tribute Communities Centre
- **East** Charles Street, beyond which are a variety of one (1) and two (2) storey commercial buildings and surface parking, including 13, 15 and 29 Charles Street, which are also owned by the Owner and subject to Official Plan and Zoning By-law Amendment applications (Files: OPA-2024-04 and Z-2024-05, respectively) to permit a new 25-storey mixed-use building containing 408 student apartment units and 3,323 square metres (35,770 sq. ft.) of commercial floor space.
- **West** A one (1) storey commercial plaza and Mary Street South, beyond which is a six (6) storey mixed-use building, a one (1) storey commercial building and surface parking

The following table contains the proposed development details for the Subject Site:

Site Statistics Item	Measurement
Lot Frontage	King Street East – 69m (226.38 ft.) Charles Street – 99m (324.80 ft.) Athol Street East – 98m (321.52 ft.) Mary Street South – 49m (160.76 ft.)
Gross Lot Area (inclusive of road widening)	0.868 ha (2.145 ac.)
Net Lot Area (exclusive of road widening)	0.807 ha (1.994 ac.)
Number of Proposed Apartment Units	1,308 units: – 113 bachelor units – 778 one bedroom units – 326 two bedroom units – 91 three bedroom units
Maximum Residential Density Permitted in the UGC-A Zone	1,000 u/ha (404 u/ac.) (807 units based on net lot area)
Proposed Net Residential Density	1,622 u/ha (656 u/ac.)
Gross Floor Area of Commercial Uses	Retail – 537.5 sq. m. (5,785.6 sq. ft.) Medical Office – 836.8 sq. m. (9,007.24 sq. ft.) Total – 1,374.3 sq. m. (14,793.3 sq. ft.)
Permitted Maximum Building Height	180m (590.55 ft.) Above Sea Level (generally 24 storeys)

Site Statistics Item	Measurement
Proposed Maximum Building Height	Tower 1 – 114m (374.02 ft.) or approximately 222m (728.35 ft.) Above Sea Level (37 storeys) Tower 2 – 101m (331.36 ft.) or approximately 209m (685.70 ft.) Above Sea Level (33 storeys) Tower 3 – 95m (311.68 ft.) or approximately 203m (666.01 ft.) Above Sea Level (31 storeys)
Parking Spaces Required	Residential – 782 spaces – 446 spaces for bachelor and one (1) bedroom units (0.5 spaces per unit) – 245 spaces for two (2) bedroom units (0.75 spaces per unit) – 91 spaces for three (3) bedroom units (1.0 space per unit) Commercial – 0 spaces Total – 782 spaces
Parking Spaces Provided	Residential – 831 spaces (0.64 spaces per dwelling unit) Commercial – 0 spaces Total – 831 spaces
Loading Spaces Required	0
Loading Spaces Provided	2 small
Number of Bicycle Parking Spaces Provided	891 long-term spaces for residents (0.68 spaces per dwelling unit) 133 short-term spaces for visitors Total – 1,024 spaces

4.2 Oshawa Official Plan

The Subject Site is designated as D.O.U.G.C. within the Downtown Main Central Area in the O.O.P.

Under the Provincial Growth Plan, which was revoked along with the Provincial Policy Statement, 2020, on October 20, 2024, the D.O.U.G.C. was intended to be a primary focus area for intensification within the City, to be developed for a mix of uses to achieve a minimum density target of 200 persons and jobs per combined hectare.

The new Provincial Planning Statement, 2024 (“P.P.S. 2024”), which came into effect on October 20, 2024, replaces both the Growth Plan and the Provincial Policy Statement, 2020. In the new P.P.S. 2024, the D.O.U.G.C. is classified as a Strategic Growth Area (“S.G.A.”). Municipalities are encouraged to focus growth and development in S.G.A.s.

More specifically, the P.P.S. 2024 states that S.G.A.s should be planned to accommodate significant population and employment growth. The P.P.S. 2024 does not contain a minimum persons and jobs target for S.G.A.s. However, the planned minimum density target of 200 residents and jobs combined per hectare is embedded in the O.O.P. for the D.O.U.G.C.

To assist in achieving the densities outlined in the O.O.P. for the D.O.U.G.C., the built form of new development and redevelopment shall generally be a mix of predominately high-rise development as well as some mid-rise buildings, with compact, intensive low-rise buildings constituting the smallest proportion of development and mainly limited to peripheral locations. Buildings at corner locations should generally be higher than buildings in mid-block locations.

The O.O.P. specifies, in part, that the D.O.U.G.C. shall be planned and developed as a primary concentration of retail, major office, service, cultural, recreational, entertainment and institutional uses, supporting active transportation and higher order transit services in the Downtown Main Central Area and in the City. In addition, subject to appropriate provisions in the zoning by-law, medium and high density residential and mixed-use developments shall be permitted in the area designated as D.O.U.G.C.

The O.O.P. contains policies which establish various density types and provide general locational criteria for such densities. On October 18, 2023, Amendment 223 to the O.O.P. ("O.P.A. 223") came into effect. O.P.A. 223, in part, increased the maximum permitted residential density for the High Density II Residential density type in the D.O.U.G.C. from 550 units per hectare (223 u/ac.) to 1,000 units per hectare (404 u/ac.). The residential density type related to the proposed development is greater than the High Density II Residential density type. Nevertheless, the locational criteria for High Density II Residential development have been used to analyze the proposal.

Table 2, Residential Density Classification, in the O.O.P. is a guideline that indicates that uses in the High Density II Residential category, which now generally permits 150 to 1,000 units per hectare (60 to 404 u/ac.) within the D.O.U.G.C., are subject to the following general locational criteria:

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

The mixed use building proposed at the Subject Site would have a net residential density of 1,622 units per hectare (656 u/ac.) which is greater than the High Density II Residential classification. Therefore, an amendment to the O.O.P. is required.

King Street East is designated as a Type "B" Arterial Road on Schedule "B", Road Network, of the O.O.P. and as a Regional Transit Spine on Schedule "B-1", Transit Priority Network, of the O.O.P. Mary Street South is designated as a Type "C" Arterial Road on

Schedule "B", Road Network, of the O.O.P. Charles Street and Athol Street East are local roads.

This Department has no objection to the approval of the application to amend to the O.O.P. Section 4.6 of this Report sets out the planning rationale for this position.

4.3 Zoning By-law 60-94

By-law 112-2024, being a by-law to amend Zoning By-law 60-94, was adopted on October 18, 2024. One of the effects of By-law 112-2024 was to replace the CBD (Central Business District) Zones with new UGC (Urban Growth Centre) Zones. As a result, the zoning of the Subject Site is now UGC-A (Urban Growth Centre). By-law 112-2024 increased the permitted building height and residential density, reduced the minimum parking requirements, and adjusted building setback requirements. The new zoning permits a new mixed-use building approximately 24 storeys in height with no limit on the amount of commercial floor space and up to 807 apartment units, subject to compliance with regulations such as minimum required setbacks and parking.

By-law 112-2024 also changed the minimum required residential parking in the D.O.U.G.C. The Subject Site is situated within that part of the D.O.U.G.C. known as "Area A" of the Downtown Parking/Loading Exempt Area, as shown on Schedule "D" of Zoning By-law 60-94. The residential parking requirement within Area A is 0.5 spaces per unit plus 0.25 spaces per bedroom after the first bedroom (i.e., 0.5 spaces per unit for bachelor and one-bedroom units, 0.75 spaces per unit for two-bedroom units and 1.0 space per unit for three-bedroom units). The required parking supply for the proposed development is 782 parking spaces for the 1,308 proposed residential units. The Applicant is proposing to provide 831 parking spaces.

By-law 112-2024 also changed the maximum permitted building height for much of the D.O.U.G.C. Previously, the maximum permitted standard height in the downtown was 35 metres (114.8 ft.) or generally 11 storeys. The maximum permitted height for the Subject Site was 25 metres (82 ft.). The new maximum height permitted across much of the downtown including the Subject Site is based on a maximum of 180 metres above sea level. For the Subject Site this would be generally 71 metres (233 ft.). The Applicant proposed a maximum building height of 114 metres (374 ft.). The maximum height implemented by By-law 112-2024 was based on the maximum height permitted by the Transport Canada Oshawa Airport Zoning Regulations, regardless of whether the lands were impacted by said regulations. The Transport Canada height limitations do not apply to lands south of King Street East and east of Albert Street. Therefore, the proposed building height of 114 metres (374 ft.) does not conflict with the operations of the Oshawa Executive Airport.

The application proposes to amend Zoning By-law 60-94, as amended, to rezone the Subject Site to permit a mixed-use building with a residential density of 1,622 units per hectare (656 u/ac.) and to permit the proposed site/building design, including, but not necessarily limited to, regulations related to increased residential density, building height and maximum building setbacks.

This Department has no objections to the approval of the application to amend Zoning By-law 60-94, as amended, for the Subject Site, which would rezone the site from UGC-A (Urban Growth Centre) to an appropriate site-specific UGC-A (Urban Growth Centre) Zone to permit a mixed-use building with a maximum residential density of 1,622 u/ha (656 u/ac.) and implement site-specific zoning regulations to facilitate the proposed site and building designs.

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 (including appropriate buffer/screen planting along the west side of the property), fencing, lighting, refuse/recycling pickup;
- (b) A noise study is completed that addresses implementation of mitigation of noise from adjacent stationary noise sources to the satisfaction of the City;
- (c) A Record of Site Condition, acknowledged by the Ministry of the Environment, Conservation and Parks (“M.E.C.P.”), has been provided to the satisfaction of the City and the Region, indicating that the site is suitable for residential development in accordance with the appropriate Provincial guidelines; and,
- (d) Demolition approval under Section 34 of the Ontario Heritage Act has been granted by Council.

This Department has no objection to the approval of the application to amend Zoning By-law 60-94, as amended. Section 4.6 of this Report sets out the rationale for this position.

4.4 Heritage

The Subject Site contains the former Oshawa Clinic, a medical office which is comprised of three connected buildings:

- (a) The original building (the east wing), which was constructed in 1948, with an addition in 1960;
- (b) The centre tower, which was constructed circa 1971; and,
- (c) The west wing, which was constructed in 1987.

On April 29, 2024, City Council passed By-law 56-2024, which designated the original 1948 east wing under Section 29, Part IV of the Ontario Heritage Act. The following list outlines the heritage attributes of the east wing as identified in By-law 56-2024:

- Simple, rectilinear form and orientation of the building;
- Flat roof with plain red brick parapet;
- Raised rectangular brick panels which span the parapet;

- Flemish bond red brick cladding;
- Stone banding;
- Series of rectangular window openings with red brick flat arch with keystone, steel lintel and stone sills visible from the public realm on the principal (north) and east elevations;
- Stone frontispiece with two columns supporting a flat roof architrave inscribed with “Oshawa Clinic”;
- Recessed entrance with transom;
- Location on the corner of Charles Street and King Street East within the community of Oshawa; and,
- Narrow set back at the corner of King Street East and Charles Street.

The Owner proposes to retain a portion of the original 1948 east wing façade (see Attachment 4), which will be integrated into the façade of the new mixed-use building (see Attachments 5, 6 and 7).

In support of the proposed development, the Applicant has provided a Heritage Impact Assessment (“H.I.A.”) prepared by ERA Architects Inc. The H.I.A. contains recommendations which the Applicant has incorporated into the design of the proposed building, including stepping back the 3-storey podium portion of the building from the retained elevations in order to preserve the legibility of the flat roof profile (see Attachment 8) and providing a sympathetic new return west wall at the north elevation to help maintain the scale, form and style of the heritage building when viewed from King Street East.

The H.I.A. also recommends retaining the entire extent of the original 1948 east wing façade on Charles Street to ensure that the heritage building remains legible as a corner building and prominent in the context of the redevelopment. This recommendation will be further examined through the processing of a future application for site plan approval.

Heritage Oshawa considered the subject applications at their meeting of October 24, 2024, and passed the following motion:

“That based on the presentation from Planning Services concerning the Official Plan and Zoning By-law Amendment application at 111-117 King Street East., Heritage Oshawa supports the proposal as presented with the provision that Heritage Oshawa would like the entire 1940s facade on Charles Street be preserved and further that Heritage Oshawa supports the mitigation measures as noted in the Heritage Impact Assessment.”

This Department recommends that an “h” holding symbol be applied to the zoning of the Subject Site. Part of the purpose of the “h” holding symbol would be to restrict development of a new mixed-use building until such a time as Council has approved an application under Section 34 of the Ontario Heritage Act to demolish the portion of the

designated building that will not be integrated into the façade of the proposed development.

4.5 Site Design/Land Use Considerations

The Applicant proposes to develop a new mixed use building consisting of a four (4) storey podium with three (3) towers having heights of 31, 33 and 37 storeys. The proposed building features 1,308 apartment units and 1,374 square metres (14,793 sq. ft.) of commercial floor area consisting of retail and medical office uses. A total of 831 parking spaces are proposed for residents, located within the podium and three (3) levels of underground parking. A portion of the façade of the designated heritage building located at 117 King Street East (former Oshawa Clinic) will be retained and integrated into the façade of the new building.

The proposed building includes the following features:

- Indoor bicycle storage;
- Green roof on the roofs of the podium and the towers;
- Common outdoor rooftop amenity area on the roof of the podium;
- Communal indoor amenity spaces;
- Private balconies for certain apartment units; and,
- Storage lockers.

Staff intend to work with the Applicant to implement a short-term parking layby on the north side of Athol Street East to provide space for drivers to pull over to pick-up or drop-off passengers related to this development without blocking the bicycle lane or related to events at the Tribute Communities Centre across the street. The layby would be coordinated with the existing bicycle lane to prevent conflicts. Staff also intend to work with the Applicant to implement appropriate streetscaping on all four streets and preserve on-street parking on King Street East and Charles Street wherever possible.

In support of the proposed site/building design for the Subject Site, the Applicant has submitted a variety of plans and documents, including site plans, floor plans, building elevations, landscape plans, a planning justification report, an urban design brief, a heritage impact assessment, a shadow impact study, an environmental site assessment, a traffic impact study, a parking study, a functional servicing and stormwater management report, a geotechnical study and a noise impact study.

The Applicant submitted a noise impact study (the “Noise Study”) prepared by J.E. Coulter Associates Limited, a professional stationary and transportation noise engineering consultant. The Noise Study assessed the impact of road noise and nearby buildings on the proposed new residential units. The Noise Study concluded that the noise from surrounding stationary sources (i.e. building mechanical equipment) that would be experienced at the proposed new residential units exceed maximum noise standards established in Publication NPC-300 (Environmental Noise Guidelines – Stationary and Transportation Sources) (the “Guideline”) prepared by the M.E.C.P. The consultant recommends further investigation of the Tribute Communities Centre H.V.A.C. system and further noise testing to determine whether compliance with Class 4 standards can be achieved. If compliance with Class 4 standards of the Guideline can be achieved, the

Subject Site would have to be designated as a Class 4 area under the Guideline by the City of Oshawa. The Guideline only allows a noise study to assume that exterior residential windows are closed when measuring noise from a stationary noise source if the site is designated as a Class 4 area. If a site is not designated as a Class 4 area, it is assumed to be a Class 1 or 2 site and windows must be assumed to be open. If Class 4 standards cannot be met, J.E. Coulter Associates Limited may have to investigate mitigation measures, including mitigation measures on the Tribute Communities Centre's H.V.A.C. units closest to the Subject Site, to mitigate noise emissions. If this is the case, this would require coordination between the Applicant, the Tribute Communities Centre and the City. There is no obligation on the part of the Tribute Communities Centre or the City (as the owner of the Tribute Communities Centre) to agree to any mitigation measures on the building. If the Owner is unable to make the necessary arrangements with the City, the Owner will need to consider building design changes.

J.E. Coulter and Associates Limited will be required to prepare an addendum to the Noise Study. Once the addendum has been submitted to the City, staff may arrange to have the material peer reviewed by a qualified third party noise consultant at the Owner's sole cost.

This noise mitigation challenge exists whether the Owner is proposing a 24-storey building with 1,000 units per hectare (currently permitted by the Zoning By-law) or a 37-storey building with 1,622 units per hectare. The recommended "h" holding symbol would prevent any new residential development on the Subject Site until the Owner has addressed the noise mitigation requirements of the M.E.C.P. Guideline.

In the past, Council has granted Class 4 area status to other residential developments including the block townhouses at the southwest corner of Phillip Murray Avenue and Park Road South, and the proposed 22-storey apartment building on the south side of Bruce Street, opposite the Tribute Communities Centre.

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

Some of the specific matters this Department will be reviewing during the processing of the future site plan application, if the subject official plan amendment and rezoning applications are approved, include:

- (a) Site/building design matters including driveway accesses, loading, parking, building architecture, fire access, landscaping and rooftop amenity area design;
- (b) Urban design matters, including streetscape design and curbside management, given the site's proximity to the Tribute Community Centre;
- (c) Transportation considerations;
- (d) Noise attenuation;
- (e) Servicing and stormwater management matters;

- (f) Heritage matters;
- (g) The environmental condition of the Subject Site and requirement for a Record of Site Condition to be filed with the M.E.C.P.; and,
- (h) Crime Prevention Through Environmental Design matters.

4.6 Basis for Recommendation

This Department has no objection to the applications to amend the O.O.P. and Zoning By-law 60-94, as amended, for the following reasons:

- (a) Developing a surface parking lot to a more intensive use in the D.O.U.G.C. is consistent with the P.P.S. 2024.
- (b) The proposed development is an appropriate use, form and scale of development given its location in the D.O.U.G.C.
- (c) The Subject Site is already designated and zoned to permit high density residential development, albeit at a lower density.
- (d) The proposed parking supply complies with Zoning By-law 60-94, as amended.
- (e) The introduction of 1,308 new dwelling units at this location will support existing businesses in the downtown.
- (f) The proposed high density development is transit supportive given its proximity to multiple Durham Region Transit routes, the future Durham-Scarborough Bus Rapid Transit corridor and the future Simcoe Street Rapid Transit corridor.
- (g) The proposed development promotes active transportation opportunities given the site's proximity to a variety of amenities in and around downtown Oshawa (e.g. Ontario Tech University, Trent University, the Tribute Communities Centre, Y.M.C.A., Regent Theatre) and access to the Athol Street cycle track, Mary Street bike lanes and Michael Starr Trail.
- (h) The proposed development can be designed to be compatible with adjacent land uses.
- (i) The proposed development will make efficient use of existing municipal services such as water and sanitary services.
- (j) The proposed building is compatible with the operations of the Oshawa Executive Airport.
- (k) The proposed development respects the heritage attributes and characteristics of the designated former Oshawa Clinic building and preserves its prominence as a focal point at the intersection of King Street East and Charles Street.
- (l) The proposed development represents good planning.

(m)The proposed development will help the City achieve the delivery of 23,000 new housing units in Oshawa between 2022 and 2031, as targeted by the Province.

5.0 Financial Implications

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

6.0 Relationship to the Oshawa Strategic Plan

This Report responds to the Oshawa Strategic Plan Priority Area:

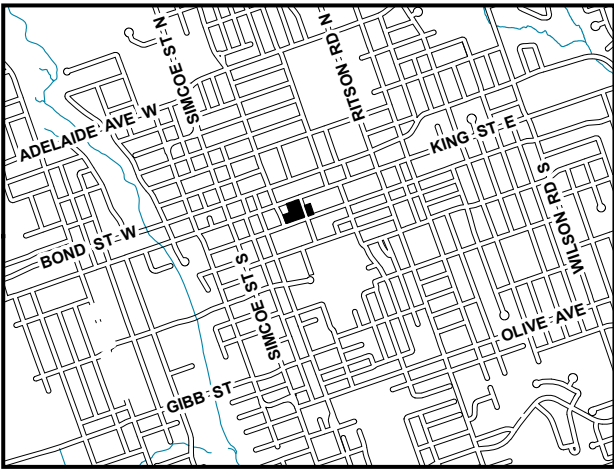
“Belong: Inclusive and Healthy Community” with the goal to support and encourage diverse housing options.



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



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



**Item: ED-24-138
Attachment 1**

Economic and Development Services


Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.

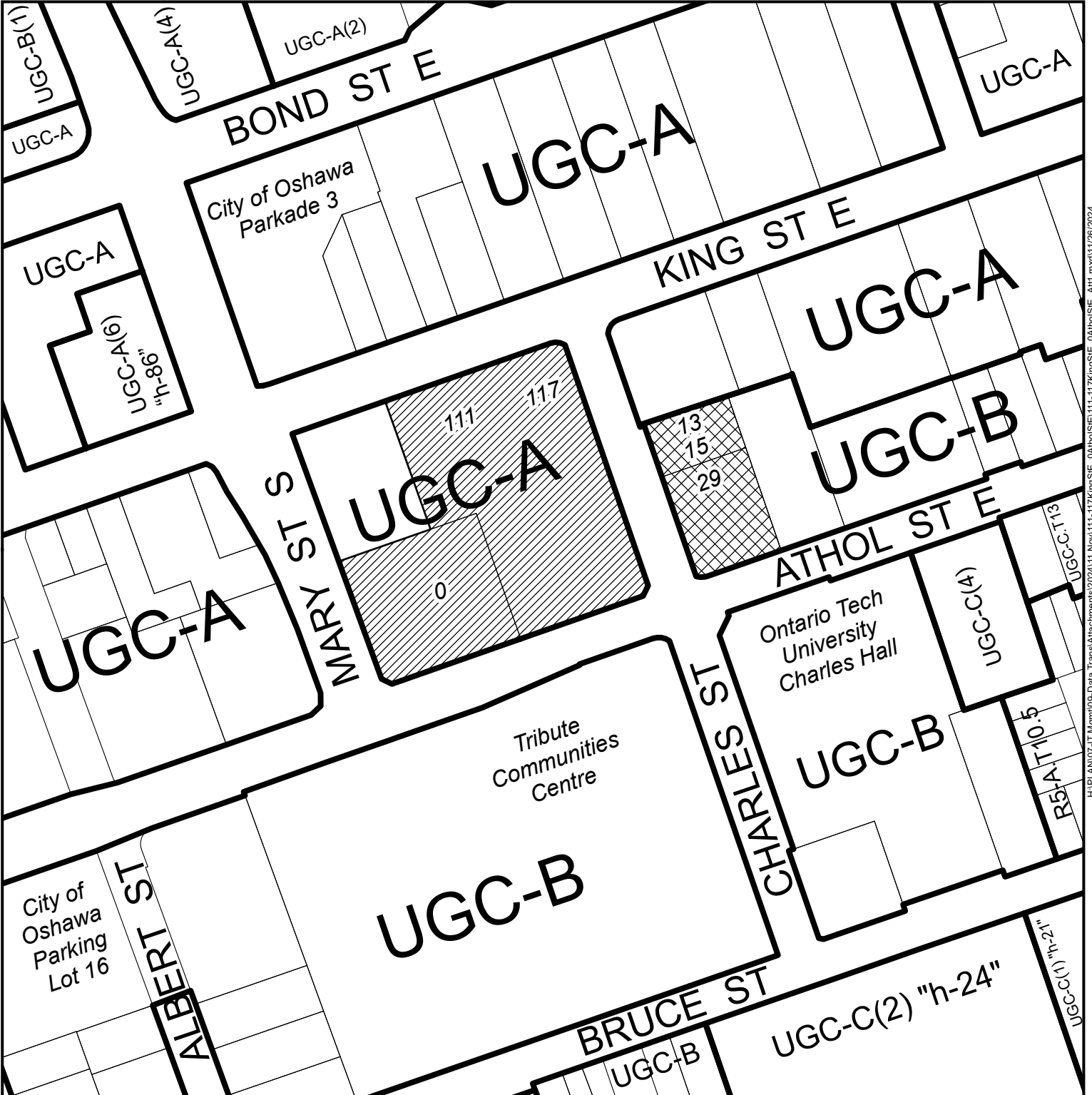
Ward: Ward 4

File: OPA-2024-03 and Z-2024-04



Subject Site 

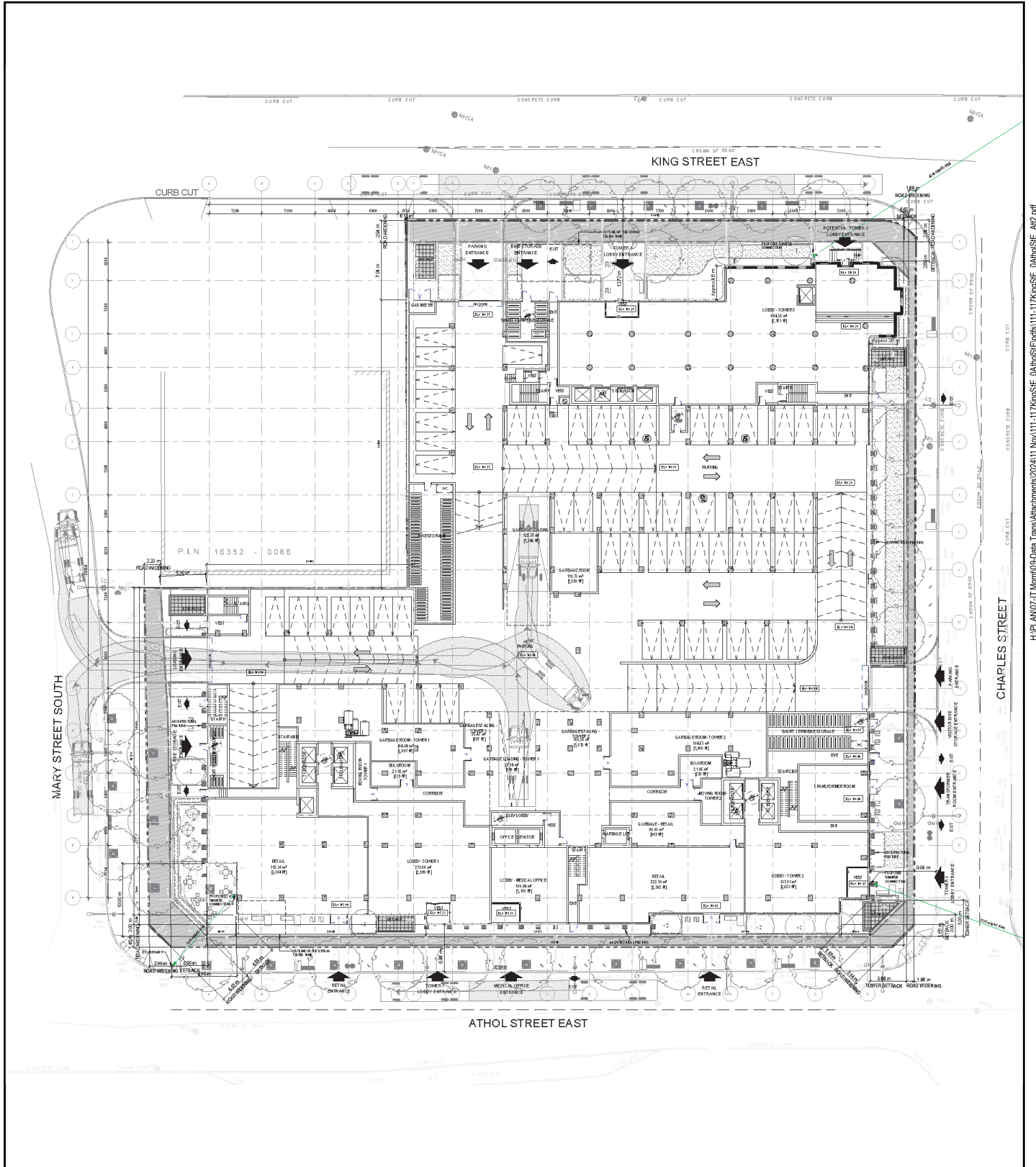
Other Lands Owned by the Applicant 



Title: Proposed Site Plan Submitted by the Applicant
 Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
 Ward: Ward 4
 File: OPA-2024-03 and Z-2024-04

Item: ED-24-138
 Attachment 2

City of Oshawa
 Economic and Development Services

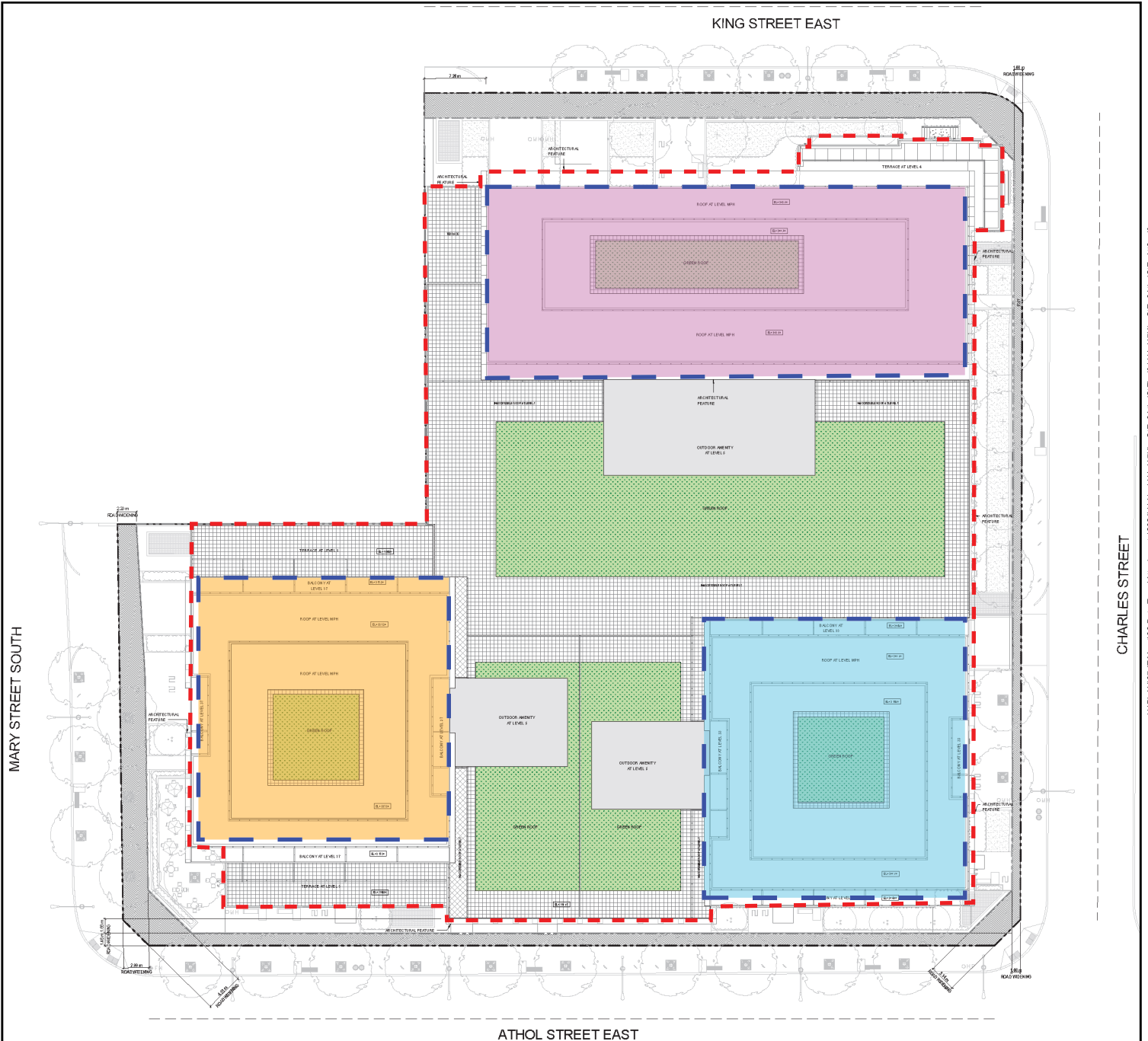


H:\PLAN\07-IT Mgmt\09-Data Trans\Attachments\2024\11 Nov\111-117KingsSE_0AtholSE\pds\111-117KingsSE_0AtholSE_A12.pdf

Title: Proposed Roof Plan Submitted by the Applicant
 Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
 Ward: Ward 4
 File: OPA-2024-03 and Z-2024-04

Item: ED-24-138
 Attachment 3

City of Oshawa
 Economic and Development Services



Key Plan Legend

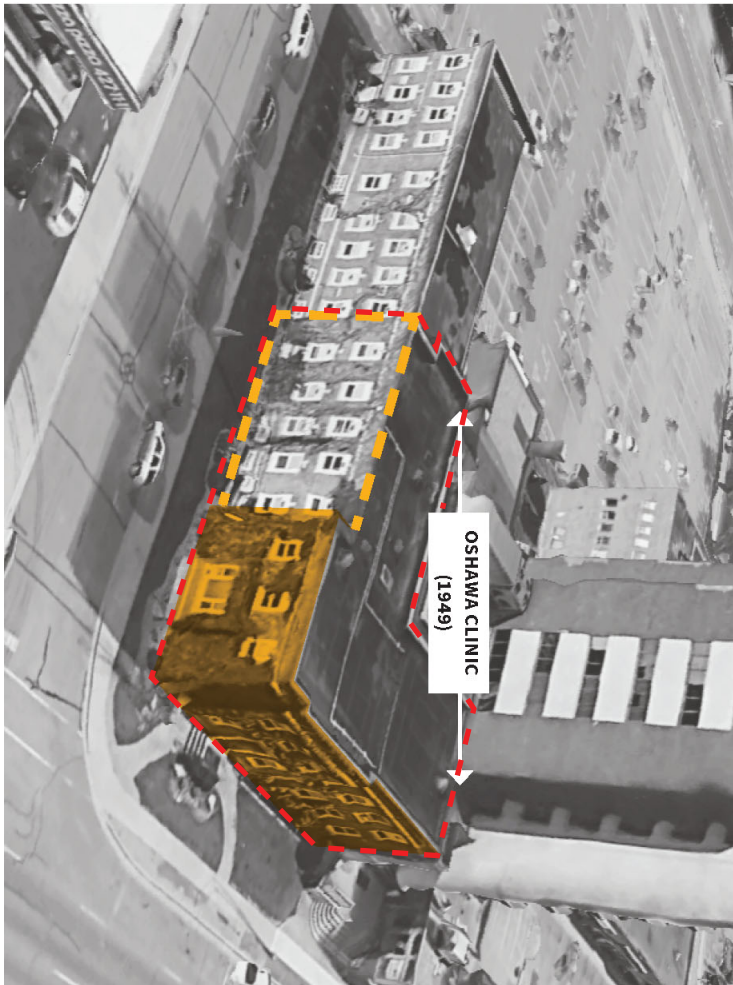
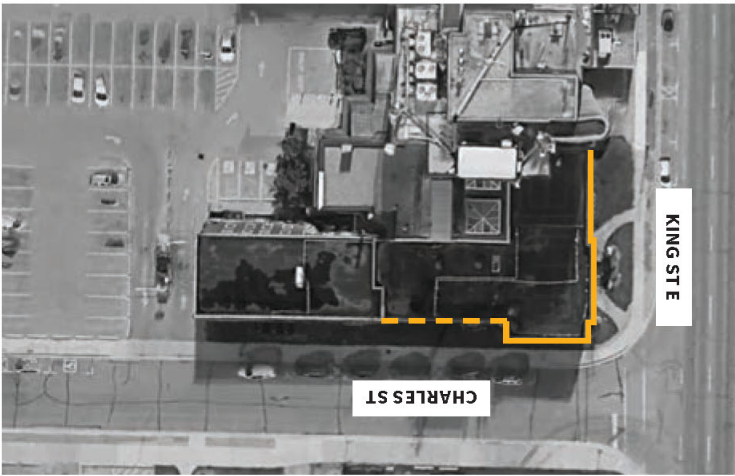
- Building Footprint
- Tower 1 - 37 Storeys
- Tower 2 - 33 Storeys
- Tower 3 - 31 Storeys

H:\PLAN07-IT Mgmt\09-Data Trans\Attachments\2024\11 Nov\111-177KingSE_0AtholSE\111-177KingSE_0AtholSE_A183.pdf
 CHARLES STREET




**Item: ED-24-138
Attachment 4**

Title: Portion of Former Oshawa Clinic Building Proposed to be Retained
Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
Ward: Ward 4
File: OPA-2024-03 and Z-2024-04

City of Oshawa
Economic and Development Services



Key Plan Legend

-  Designated
-  Facade to be Retained
-  Facade to be Demolished

Title: East Elevation Plan Submitted by the Applicant
 Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
 Ward: Ward 4
 File: OPA-2024-03 and Z-2024-04

Item: ED-24-138
 Attachment 5



City of Oshawa
 Economic and Development Services



H:\PLAN\07-11 Mgmt\09-Data Trans\Attachments\2024\11 Nov\111-117KingsSE_0AtholSE.pdf 111-117KingsSE_0AtholSE_A165.pdf

KING STREET EAST

Title: North Elevation Plan Submitted by the Applicant
 Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
 Ward: Ward 4
 File: OPA-2024-03 and Z-2024-04

Item: ED-24-138
 Attachment 6



City of Oshawa
 Economic and Development Services



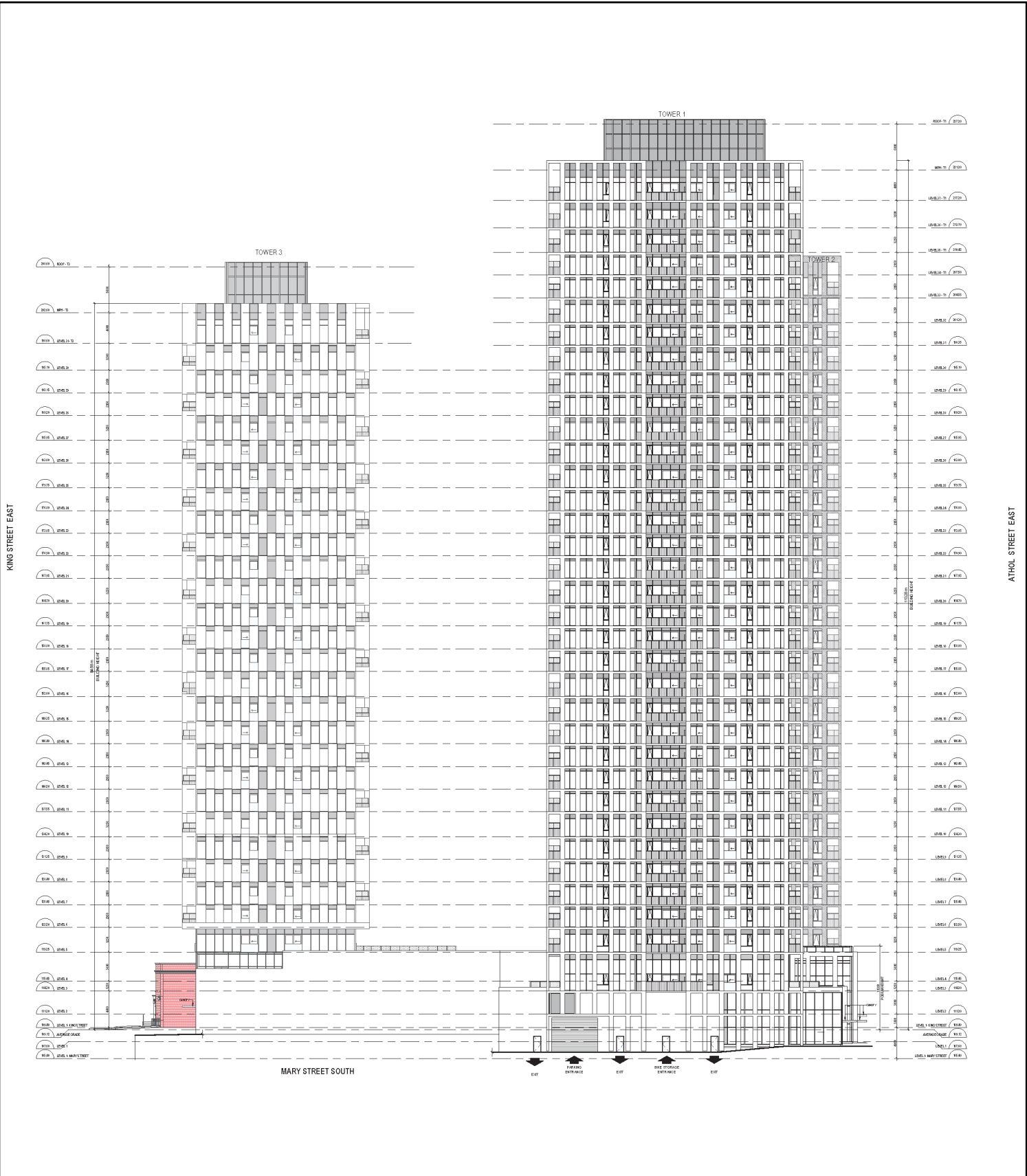
H:\PLAN\07-IT Mgmt\09-Data Trans\Attachments\2024\11 Nov\111-177KingsE_0AtholSE\p111-177KingsE_0AtholSE_A16.pdf

Title: West Elevation Plan for Site A Submitted by the Applicant
 Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
 111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
 Ward: Ward 4
 File: OPA-2024-03 and Z-2024-04

Item: ED-24-138
 Attachment 7



City of Oshawa
 Economic and Development Services



H:\PLAN\07-IT Mgmt\09-Data Trans\Attachments\2024\11 Nov\111-177KingsE_0AtholSE\pds\111-177KingsE_0AtholSE_Atrf.pdf

ATHOL STREET EAST

**Item: ED-24-138
Attachment 8**

Title: Rendering Submitted by the Applicant
Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94,
111 and 117 King Street East, 0 Athol Street East, 2856355 Ontario Inc.
Ward: Ward 4
File: OPA-2024-03 and Z-2024-04

City of Oshawa
Economic and Development Services



List of Permitted Uses in the UGC-A (Urban Growth Centre) Zone:

- (a) Animal hospital
- (b) Apartment building
- (c) Apartment hotel
- (d) Art gallery
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (g) Bus depot
- (h) Church
- (i) Cinema
- (j) Club
- (k) Commercial recreation establishment
- (l) Convention centre
- (m) Craft Brewery
- (n) Crisis care residence
- (o) Cultural centre
- (p) Day care centre
- (q) Financial institution
- (r) Flat
- (s) Funeral home
- (t) Hospital
- (u) Hotel
- (v) Lodging house
- (w) Long Term Care Facility
- (x) Merchandise service shop
- (y) Museum
- (z) Nursing home
- (aa) Office
- (bb) Parking garage or parking lot
- (cc) Personal service establishment
- (dd) Printing establishment
- (ee) Restaurant
- (ff) Retail store
- (gg) Retirement home
- (hh) School
- (ii) Studio
- (jj) Tavern
- (kk) Television or radio broadcasting station or studio
- (ll) Theatre
- (mm) Trade centre

Excerpts from the Minutes of the Development Services Committee Meeting held on October 7, 2023

Application ED-24-114

Presentation

A.J. Clarke and Associates Ltd. - Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 111 and 117 King Street East, 0 Athol Street East and 13, 15 and 29 Charles Street, 2856355 Ontario Inc. (Ward 4)

Ryan Ferrari, A.J. Clarke and Associates Ltd. provided a presentation concerning applications to amend the Oshawa Official Plan and Zoning By-law 60-94 at 111 and 117 King Street East, 0 Athol Street East and 13, 15 and 29 Charles Street.

The Committee questioned Ryan Ferrari, A.J. Clarke and Associates Ltd.

Delegations

None

Correspondence

None

Motion Carried

Reports

ED-24-114 - Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 111 and 117 King Street East, 0 Athol Street East and 13, 15 and 29 Charles Street, 2856355 Ontario Inc. (Ward 4)

Moved by Councillor Giberson

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

That based on Report ED-24-114 dated October 2, 2024, concerning the applications submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to:

- Amend the Oshawa Official Plan (File: OPA-2024-03) and Zoning By-law 60-94 (File: Z-2024-04) to permit the development of a new mixed-use building consisting of a podium with three (3) towers having heights of 31, 33 and 37 storeys containing 1,308 apartment units and 1,374 square metres (14,793 sq. ft.) of commercial floor space at 111 and 117 King Street East and 0 Athol Street East; and,
- Amend the Oshawa Official Plan (File: OPA-2024-04) and Zoning By-law 60-94 (File: Z-2024-05) to permit the development of a new 25-storey mixed-use building containing

408 apartment units and 3,323 square metres (35,770 sq. ft.) of commercial floor space at 13, 15 and 29 Charles Street East;

staff be directed to further review and prepare a subsequent report(s) and recommendation(s) back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

Motion Carried