

To: Economic and Development Services Committee

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

Report Number: ED-24-137

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, 13, 15 and 29 Charles Street, 2856355 Ontario  
Inc.

Ward: Ward 4

File: OPA-2024-04, Z-2024-05

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## **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 25-storey mixed-use building containing 408 purpose-built student apartment units and 3,323 square metres (35,770 sq. ft.) of commercial floor space on lands municipally known as 13, 15 and 29 Charles Street (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 submitted by the Applicant that was considered at the October 7, 2024 public meeting.

Attachment 3 is a list of uses permitted in the UGC-B (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 4 to this Report.

## **2.0 Recommendation**

That the Economic and Development Services Committee select an appropriate option as set out in Section 4.6 of Report ED-24-137 dated November 27, 2024.

### **3.0 Input From Other Sources**

#### **3.1 Other Departments and Agencies**

The subject applications were circulated to a variety of departments and agencies for comment. Through this process, some departments raised concerns related to the proposed quantity of parking. These concerns are set out below along with a staff response. No other department or agency that provided comments has any objection to the subject applications, although certain technical issues and requirements related to the proposed development were identified which can be resolved during the site plan approval and building permit processes, if the applications are approved.

##### **3.1.1 Engineering Services**

The Professional Services Division of Engineering Services expressed concerns regarding the acceptability of the proposed parking rate for a standard apartment building, noting that the proposed parking for residential visitors in particular cannot be accepted and recommending that the parking for residential visitors be provided at the minimum rate required by Zoning By-law 60-94. Concerns were also expressed regarding the assumption that parking for the proposed office uses would be accommodated by the surrounding City-owned parking facilities. It was noted by Engineering Services staff that the City does not currently have an approved parking rate for purpose-built student housing. However, given that the Owner has committed in writing to developing the residential component of the project as a purpose-built student housing development, and that measures will be taken to ensure the building is designed as such, Engineering Services staff are prepared to accept the Applicant's proposed parking rate.

##### **3.1.2 Parks and Road Operations Services**

The Traffic and Streetlighting Services Division of Parks and Road Operations Services expressed concerns regarding the proposed parking rate for a standard apartment building and the assumption that the parking demand not met on-site will be accommodated by the surrounding City-owned parking facilities. Staff highlighted that this may not be possible during periods of peak demand, such as when special events are held downtown.

##### **3.1.3 Planning Services' Response**

Parking minimums in the D.O.U.G.C. were recently reduced to help accelerate development by providing developers with more design flexibility and allowing land to be used more efficiently. The reduced minimums are justified in part by the fact that the D.O.U.G.C. is at the crossroads of two of the highest volume transit routes in the Region of Durham (Highway 2 and Simcoe Street), both of which are currently being planned for Rapid Transit System improvements. Further, the D.O.U.G.C. has a direct, dedicated active transportation connection to the planned Central Oshawa GO Trail Station via the Michael Starr Trail.

The Subject Site is situated within that part of the D.O.U.G.C. known as Area B of the Downtown Parking/Loading Exempt Area, as shown on Schedule "D" of Zoning By-law 60-94. The parking requirement for residents of apartment buildings within Area B

is 0.5 spaces per dwelling 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) and 0.25 parking spaces per dwelling unit for visitor parking. Area B is not exempt from the non-residential minimum parking requirements as provided in Table 39.3A of Zoning By-law 60-94.

The Subject Site is directly adjacent to Area A of the Downtown Parking/Loading Exempt Area as shown on Schedule “D” of Zoning By-law 60-94. For apartment buildings, the residential parking requirement within Area A is the same as Area B with the exception that visitor parking is not required. There are no minimum parking requirements for non-residential uses in Area A.

Although it is not located within Area A of the Downtown Parking/Loading Exempt Area, its immediate proximity means that many of the same factors that justify the lower parking requirements in Area A are applicable to the Subject Site. Nonetheless, this Department does not support the parking rate proposed by the Applicant for the residential component of the proposed development should it be designed and marketed as a standard apartment building. However, the Owner has advised that the residential component of the proposed development is intended to be designed and marketed as purpose-built student housing. Through the application of an appropriate “h” holding symbol in the Zoning By-law, staff is satisfied that regulations can be implemented to ensure that the residential component of the building is developed for purpose-built student housing, and on that basis, is supportive of the visitor and resident parking rates proposed by the Applicant. It is recommended that the quantity of parking for residents be increased to achieve the minimum required by Zoning By-law 60-94.

### **3.2 Public Comments**

The minutes of the October 7, 2024, public meeting concerning the subject applications form Attachment 4 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 a driveway access on Athol Street East and a loading access on Charles Street. Athol Street East and Charles Street are local roads.

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 140 two-way trips during the weekday morning peak hour traffic period consisting of 78 inbound trips and 62 outbound trips, and a total of 156 two-way trips during the weekday afternoon peak hour traffic period consisting of 66 inbound trips and 90 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 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 of 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 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 Applicant intends to incorporate 3,323 square metres (35,770 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 located at the northeast corner of Athol Street East and Charles Street, and is municipally known as 13, 15 and 29 Charles Street (see Attachment 1).

The Subject Site is currently occupied by two buildings containing medical offices and surface parking. The proposed development is 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.

The Owner also owns the lands situated immediately to the west of the Subject Site across Charles Street. These lands, which are municipally known as 111 and 117 King Street East and 0 Athol Street East, are subject to Official Plan and Zoning By-law Amendment applications (Files: OPA-2024-03 and Z-2024-04, respectively). The purpose of these applications is to permit 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. 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 Bylaw 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-B (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:

<b>Item</b>	<b>Existing</b>	<b>Requested/Proposed</b>
<b>Oshawa Official Plan Designation</b>	D.O.U.G.C. within the Downtown Main Central Area Boundary	D.O.U.G.C. within the Downtown Main Central Area subject to a site specific policy to permit a maximum residential density of 2,218 units per net hectare (897 u/ac.)
<b>Zoning By-law 60-94</b>	UGC-B (Urban Growth Centre)	An appropriate site-specific UGC-B 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 gross floor area of retail store floor space, and reduced parking and rear yard building setback
<b>Use</b>	Two buildings containing medical offices, and surface parking	A new 25-storey mixed-use building containing 408 student apartment units and 3,323 sq. m. (35,770 sq. ft.) of commercial floor space

The following land uses are adjacent to the Subject Site:

- **North** A one (1) storey commercial plaza
- **South** Athol Street East, beyond which is Ontario Tech University – Charles Hall and the Tribute Communities Centre
- **East** A six (6) storey apartment building, a two (2) storey commercial building and surface parking
- **West** Charles Street, beyond which are medical office buildings ranging in height from two to eight storeys in height and a surface parking lot at 111 and 117 King Street East and 0 Athol Street East, which are also owned by the Owner and subject to Official Plan and Zoning By-law Amendment applications (Files: OPA-2024-03 and Z-2024-04, respectively) to permit 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

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

<b>Site Statistics Item</b>	<b>Measurement</b>
Lot Frontage	Athol Street East – 32m (104.99 ft.) Charles Street – 57m (187.01 ft.)
Gross Lot Area (inclusive of road widening)	0.199 ha (0.492 ac.)
Net Lot Area (exclusive of road widening)	0.184 ha (0.455 ac.)
Number of Proposed Student Apartment Units	408 units: <ul style="list-style-type: none"> <li>- 168 bachelor units</li> <li>- 154 one bedroom units</li> <li>- 86 two bedroom units</li> </ul>
Maximum Residential Density Permitted in the UGC-B Zone	1,000 u/ha (404 u/ac.) (184 units based on the net lot area)
Proposed Net Residential Density	2,217.4 units per hectare (896.7 u/ac.)
Gross Floor Area of Commercial Uses	Retail – 157.1 sq. m. (1,690.1 sq. ft.) Office – 3,165.8 sq. m. (34,077.5 sq. ft.) Total – 3,323 sq. m. (35,769.6 sq. ft.)
Permitted Maximum Building Height	180m (590.55 ft.) Above Sea Level (generally 24 storeys)
Proposed Maximum Building Height	88.5m (290 ft.) or approximately 201.5m (661.09 ft.) Above Sea Level (25 storeys)
Parking Spaces Required	Residential – 328 spaces <ul style="list-style-type: none"> <li>- 161 spaces for bachelor and one (1) bedroom units (0.5 spaces per unit for residents)</li> <li>- 65 spaces for two (2) bedroom units (0.75 spaces per unit for residents)</li> <li>- 102 spaces for visitors (0.25 spaces per unit)</li> </ul> Commercial – 120 spaces (1 space per 24 sq. m. for retail uses and 1 space per 28 sq. m. for business office uses) Total – 448 spaces

<b>Site Statistics Item</b>	<b>Measurement</b>
Parking Spaces Provided	Residential – 103 spaces (0.20 spaces per dwelling unit for residents and 0.05 spaces per unit for visitors) Commercial – 0 spaces (the Applicant proposes to provide combined parking for commercial uses and residential visitors) Total – 103 spaces
Loading Spaces Required	3 large
Loading Spaces Provided	1 small
Number of Bicycle Parking Spaces Provided	167 long-term 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 proposed mixed-use building at 13, 15 and 29 Charles Street would have a net residential density of 2,217.4 units per hectare (896.7 u/ac.) which is greater than the High Density II Residential classification. Therefore, an amendment to the O.O.P. is required.

This Department has no objection to the approval of the application to amend to the O.O.P. Section 4.5 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-B (Urban Growth Centre). The UGC-B Zone permits a new mixed-use building approximately 24 storeys in height, with a limit on the amount of retail store gross floor area permitted. The amount of retail store floor area is limited to 25% of the floor area of the first storey or 90 square metres (969 sq. ft.), whichever is greater. There is no limit on the amount of other types of non-residential floor space permitted, and up to 184 apartment units are permitted, 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 B of the Downtown Parking/Loading Exempt Area, as shown on Schedule "D" of Zoning By-law 60-94. The parking requirement for residents of apartment buildings within Area B 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). Visitor parking is required at a rate of 0.25 spaces per apartment unit. Accordingly, the required residential parking supply for

the proposed development is 328 parking spaces for the 408 proposed residential units, plus 120 parking spaces for the retail and office space uses. The Applicant is proposing a total of 103 parking spaces. A site-specific zoning regulation will be required for reduced parking.

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.) at 29 Charles Street and 13 metres (42.7 ft.) at 13 and 15 Charles Street. 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 72 metres (236 ft.). The Applicant has proposed a maximum building height of 88.5 metres (290 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 88.5 metres (290 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 2,218 units per hectare (897 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 gross floor area of retail store floor space, and reduced parking and rear yard depth.

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-B (Urban Growth Centre) to an appropriate site-specific UGC-B (Urban Growth Centre) Zone to permit a mixed-use building with a maximum residential density of 2,218 units per hectare (897 u/ac.) and implement site-specific zoning regulations to facilitate the proposed site and building designs.

This Department recommends that one or more “h” holding symbols be applied to the zoning of the Subject Site which would have the following effects:

(a) Restrict development until such a time as:

- (i) 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;
- (ii) A noise study is completed that addresses implementation of mitigation of noise from adjacent stationary noise sources to the satisfaction of the City;
- (iii) 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,

- (b) Ensure that the design and layout of the residential component of the building and associated amenities reflects a purpose-built student housing project, to the satisfaction of the City.

This Department has no objection to the approval of the application to amend Zoning By-law 60-94, as amended, to facilitate (among other matters) the provision of purpose-built student housing. Section 4.5 of this Report sets out the rationale for this position. In the event that the Applicant decides to not pursue a design reflective of purpose-built student housing but rather advances a site plan for a standard apartment building, the condition of the “h” holding symbol noted under paragraph (b) above would not be satisfied, the Applicant’s proposed parking rate would not be supported, and a rate generally reflective of the standard parking rate would apply.

#### **4.4 Site Design/Land Use Considerations**

The Applicant proposes to develop a new 25-storey mixed-use building containing 408 student apartment units and 3,323 square metres (35,770 sq. ft.) of commercial floor area consisting of retail and office uses. A combined total of 103 parking spaces are proposed for residents and visitors, located within three (3) levels of underground parking.

The proposed building includes the following features:

- Indoor bicycle storage
- Common indoor amenity space
- Green roof on the roofs of the podium and tower

The Owner intends to design and market the apartment units to post-secondary school students. The proposed building includes mostly bachelor (41%) and one bedroom (38%) units.

In support of the proposed site/building design for the Subject Site, the Applicant has submitted a variety of plans and documents, including a site plan, floor plans, building elevations, landscape plans, a planning justification report, an urban design brief, 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 (“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 a density level of 1,000 units per hectare (currently permitted by the Zoning By-law) or a 25-storey building with a density level of 2,218 units per hectare. The recommended "h" holding symbol(s) 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, including 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 parking, driveway accesses, loading, building architecture, fire access, landscaping and rooftop amenity area design;
- (b) Site/building layout to ensure the residential component of the building features a design reflective of purpose-built student housing;
- (c) Urban design matters, including streetscape design, given the site's proximity to the Tribute Community Centre;
- (d) Transportation considerations;
- (e) Noise attenuation;

- (f) Servicing and stormwater management 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.

#### **4.5 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, subject to the residential component of the building being designed and marketed exclusively as student accommodations, for the following reasons:

- (a) Developing the Subject Site with 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 introduction of 408 new student dwelling units at this location will support existing businesses in the downtown.
- (e) The proposed parking rate is acceptable on the basis that the proposed building is intended to be designed and marketed to post-secondary school students and its location in the D.O.U.G.C. The proposed parking rate is comparable to the apartment building at 161 Athol Street East approximately 50 metres (164 ft.) to the east which was completed in 2020.
- (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 represents good planning.

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

#### **4.6 Options**

The Economic and Development Services Committee has two key options which are set out in the Sections below.

##### **4.6.1 Option 1: Approve the Applications With the Requested Parking Rates**

In the event that the Economic and Development Services Committee decides to approve the subject applications and finds the visitor and resident parking rates proposed by the Applicant acceptable, on the basis that the residential component of the development is proposed to consist entirely of purpose-built student apartment units, the Committee may wish to pass the motion found below. This would approve the applications to permit a new 25-storey mixed-use building with a residential density of 2,218 units per hectare (408 student apartment units), 3,323 square metres (35,770 sq. ft.) of commercial floor space, and a total of 103 parking spaces.

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

1. That, pursuant to Report ED-24-137 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-2024-04) to permit a new 25-storey mixed-use building having a residential density of 2,218 units per hectare (408 student apartment units) on lands municipally known as 13, 15 and 29 Charles Street 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-24-137 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-2024-05) to permit a new 25-storey mixed-use building containing 408 student apartment units, 3,323 square metres (35,770 sq. ft.) of commercial floor space and 103 parking spaces on lands municipally known as 13, 15 and 29 Charles Street 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.”

##### **4.6.2 Option 2: Approve the Applications Subject to an Increase in Resident Parking Spaces**

For residential development that does not consist of purpose-built student housing, staff do not support the proposed parking rate of 0.2 spaces for residents per dwelling unit, which equates to 82 spaces for 408 dwelling units. Recent amendments to Zoning By-law 60-94 have already reduced the minimum required parking for residents in development projects in the Downtown Oshawa Urban Growth Centre (the “D.O.U.G.C.”), where the Subject Site

is located. Specifically, the Subject Site is situated within that part of the D.O.U.G.C. known as Area B of the Downtown Parking/Loading Exempt Area, as shown on Schedule "D" of Zoning By-law 60-94. The parking requirement for residents of apartment buildings within Area B 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). 226 parking spaces for residents are therefore required for the proposed development, but only 82 parking spaces for residents are proposed. A total of 21 parking spaces for visitors are proposed, for visitors of both residents in the building as well as visitors generated by the proposed commercial space. This equates to providing parking for visitors at a non-exclusive rate of 0.05 spaces per dwelling unit, whereas the minimum required under Zoning By-law 60-94 would be 102 spaces exclusively for visitors or residents in the building and an additional 120 spaces exclusively for visitors associated with the commercial space in the building. This equates to a total of 222 visitor spaces. However, in this instance, staff note that there are ample opportunities in the vicinity of the Subject Site for visitors to use the City's municipal parking system, recognizing that the Subject Site is directly adjacent to that area of the D.O.U.G.C. where parking for commercial uses is exempted.

In the event that the Economic and Development Services Committee decides to approve the subject applications, but finds the proposed resident parking rate not acceptable notwithstanding the fact that the Owner intends to develop the residential component of the building entirely as purpose-built student housing, the Committee may wish to pass the motion found below. This would serve to approve the applications to permit a new 25-storey mixed-use building with a residential density of 2,218 units per hectare (408 student apartment units), 3,323 square metres (35,770 sq. ft.) of commercial floor space, and no visitor parking, but would require the Applicant to achieve the minimum number of parking spaces for residents required by Zoning By-law 60-94 (i.e. 226 parking spaces). Should the subject applications be approved, the Applicant will be required to revise the proposed building and site design to accommodate the increased parking through a future application for site plan approval.

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

1. That pursuant to Report ED-24-137 dated November 27, 2025, the application submitted by A.J. Clarke and Associates Ltd. on behalf of 2856355 Ontario Inc. to amend the Oshawa Official Plan (File: OPA-2024-04) to permit a new 25-storey mixed-use building having a residential density of 2,218 units per hectare on lands municipally known as 13, 15 and 29 Charles Street 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-24-137 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 6-94 (File: Z-2024-05) to permit a new 25-storey mixed-use building containing 408 apartment units, 3,323 square metres (35,770 sq. ft.) of commercial floor space and 226 residential parking spaces on lands municipally known as 13, 15 and 29 Charles Street 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. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report ED-24-137 dated November 27, 2024 presented at the public meeting of October 7, 2024 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.”

## **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.

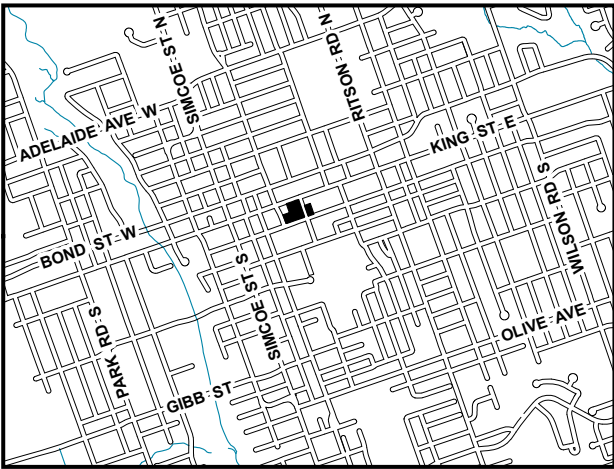


Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



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





**Item: ED-24-137  
Attachment 1**


Economic and Development Services

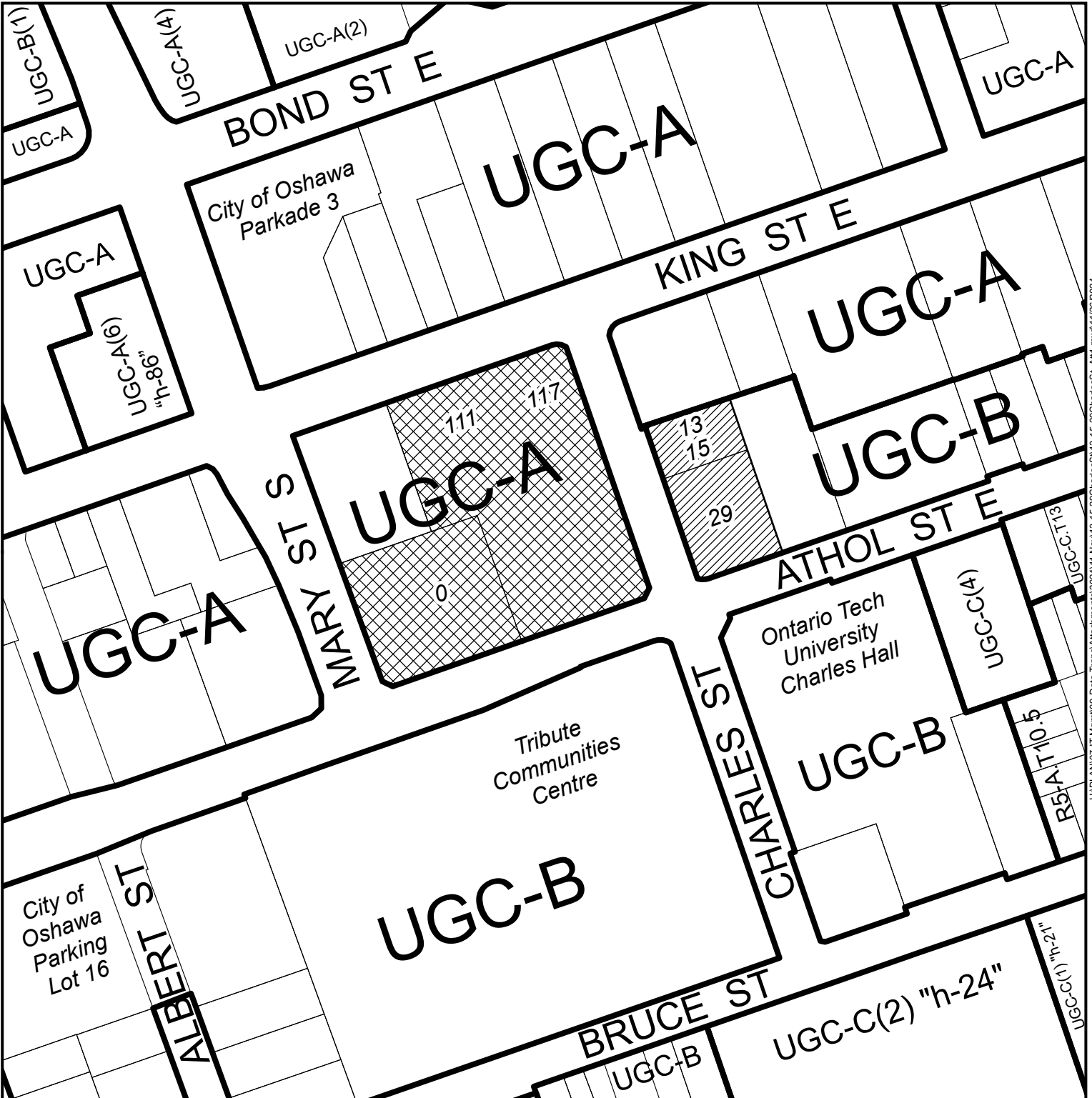
**Subject:** Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, 13, 15 and 29 Charles Street, 2856355 Ontario Inc.

**Ward:** Ward 4

**File:** OPA-2024-04 and Z-2024-05

Subject Site 

Other Lands Owned by the Applicant 



H:\PLAN\07-T\Mgmt\09-Data Trans\Attachments\2024\11 Nov\13-15-29 Charles St\13-15-29 Charles St\_ATT1.mxd 11/26/2024



**List of Permitted Uses in the UGC-B (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