

To: Economic and Development Services Committee

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

Report Number: ED-25-21

Date of Report: January 29, 2025

Date of Meeting: February 3, 2025

Subject: Revised Applications to Amend the Oshawa Official Plan,
Samac Secondary Plan and Zoning By-law 60-94, Bousfields
Inc. on behalf of Oshawa 6IX Limited Partnership, 1804, 1806,
and 1808 Simcoe Street North and 426 Niagara Drive

Ward: Ward 2

File: OPA-2024-01, Z-2024-01

1.0 Purpose

The purpose of this Report is to provide a recommendation on the revised applications submitted by Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership (the “Applicant”) to amend the Oshawa Official Plan, the Secondary Plan for the Samac Community (File: OPA-2024-01) and Zoning By-law 60-94 (File: Z-2024-01), to permit a 10-storey mixed-use building containing 392 purpose-built student apartment units and 2,466 square metres (26,543 sq. ft.) of commercial floor space on the lands municipally known as 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive (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 map excerpt taken from Schedule ‘A’, Samac Land Use and Street Plan, of the Secondary Plan for the Samac Community showing the location of the Subject Site.

Attachment 3 is a copy of the original proposed site plan submitted by the Applicant that was presented at the October 7, 2024 public meeting.

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

Attachment 5 is a list of the existing MU-B (Mixed Use) Zone uses permitted on the Subject Site.

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 subject applications and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. The minutes of the public meeting form Attachment 6 to this Report.

Attachments 7, 8 and 9 are copies of the latest proposed floor plans.

Subsequent to the October 7, 2024 public meeting, the Applicant revised the subject development proposal. The key differences between the original proposal considered at the public meeting (see Attachment 3) and the revised proposal (see Attachment 4) are as follows:

1. The lot area has been reduced from 4,702 square metres (50,612 sq. ft.) to 4,553 square metres (49,008 sq. ft.) as a result of the required Simcoe Street North and Niagara Drive road widenings.
2. The number of proposed student apartment units has been increased from 386 to 392.
3. The proposed mix of apartment units has been revised as follows:
 - The number of studio units has been increased from 128 to 133;
 - The number of one-bedroom units has been reduced from 169 to 164;
 - The number of two-bedroom units has been increased from 84 to 95; and,
 - The number of three-bedroom units has been reduced from 5 to zero.
4. As a result of the required road widenings and the increase in the number of proposed units, the proposed net residential density has increased from 822 units per hectare (333 u/ac.) to 862 units per hectare (350 u/ac.).
5. The Applicant has reduced the commercial floor space from 2,478 square metres (26,674 sq. ft.) to 2,466 square metres (26,543 sq. ft.). However, in the event that the space on the ground floor proposed to be dedicated to a transit station is not required for that purpose, the commercial floor area would increase by 46 square metres (495 sq. ft.) to 2,512 square metres (27,039 sq. ft.).
6. The Applicant has removed the parking spaces from the rear yard between the proposed building and the Western Crescent properties, replacing them with amenity space and a loading space. However, staff do not support where the loading space in the rear yard is proposed to be located, and instead favour its elimination.
7. The number of visitor parking spaces proposed for the residential portion of the mixed-use building has been reduced from 34 to 26.
8. The number of parking spaces proposed for the commercial portion of the mixed-use building has been reduced from 110 to 103.
9. The Applicant's revised plans continue to show a portion of the building encroaching over the City's Niagara Drive road allowance and the Region's Simcoe Street North

road allowance. City staff do not support any portion of the building (other than architectural features such as canopies, signage, fins, etc.) from encroaching over the Niagara Drive road allowance. However, the Region has agreed to continue considering the encroachment over the Simcoe Street North road allowance.

10. The Applicant has reduced the number of proposed bicycle parking stalls from 322 to 290.

2.0 Recommendation

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

1. That, pursuant to Report ED-25-21 dated January 29, 2025, the revised application submitted Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership to amend the Oshawa Official Plan (File: OPA-2024-01) to permit an increased residential density of approximately 862 units per hectare (350 units/ac.) on the lands municipally known as 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.
2. That, pursuant to Report ED-25-21 dated January 29, 2025, the revised application submitted Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership to amend the Secondary Plan for the Samac Community (File: OPA-2024-01) to permit an increased residential density of approximately 862 units per hectare (350 units/ac.) on the lands municipally known as 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.
3. That, pursuant to Report ED-25-21 dated January 29, 2025, the revised application submitted Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership to amend Zoning By-law 60-94 (File: Z-2024-01) to rezone the lands municipally known as 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive from MU-B(2) "h-48" (Mixed Use) to an appropriate MU-B (Mixed Use) Zone to permit a new 10-storey mixed-use building with 392 student apartment units and up to 2,512 square metres (27,039 sq. ft.) of commercial floor space 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. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report ED-24-110 dated October 2, 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 3 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.

5. That, pursuant to Report ED-25-21 dated January 29, 2025, City Council formally request the Region of Durham to design and construct traffic signals at the intersection of Simcoe Street North and the northerly leg of Niagara Drive generally concurrent with the redevelopment of 1804, 1806 and 1808 Simcoe Street North and 426 Niagara Drive, with the cost of the portion of the construction of the unwarranted signals that would normally accrue to the City to be financed by the developer of said lands.

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 revised applications. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the site plan approval and building permit processes, if the revised applications are approved.

3.2 Public Comments

The minutes of the October 7, 2024 public meeting concerning the subject applications form Attachment 6 to this Report. One member of the public provided oral comments at the public meeting. Several letters were also received from the public with respect to the subject applications containing comments and expressing either support for or objections to the applications.

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

3.2.1 Public Transit Impacts

Comment:

Written public correspondence was received in support of the applications pointing to the need for more student housing. The correspondence recommended consideration of the impact of more housing density on public transit and the need for increased transit capacity and frequency.

Staff Response:

The Region has reviewed the applications from a transit perspective in relation to the Simcoe Street Rapid Transit Study, which evaluated various rapid transit options along the Simcoe Street corridor to accommodate projected demand for north-south transit. The Region is presently considering the options to respond to increased demand for public transit along the corridor and to provide improved reliability. The Simcoe Street North road widening will enable the Region to protect for future transit stops/station and related infrastructure.

3.2.2 Traffic Impacts

Comment:

Comments were received concerning the impact of the proposed development on vehicular traffic in the area, the need for additional lanes on Niagara Drive and the need for traffic signals at the Simcoe Street North and Niagara Drive intersection.

Staff Response:

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

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

The Subject Site will have driveway access on Niagara Drive only, with no driveways on Simcoe Street North. The site design includes an off-road drop-off/pick-up area on the Subject Site. The underground garage will accommodate two large loading spaces for commercial and resident deliveries or moving. A Traffic Impact Study (T.I.S.) prepared by Nextrans Consulting Engineers ("Nextrans") was submitted in support of the applications. The T.I.S. concluded that the proposed development would result in acceptable traffic impacts with the implementation of traffic signalization at the Simcoe Street North and Niagara Drive intersection. The T.I.S. was reviewed by professional transportation engineers at the City and at the Region of Durham Works Department. The Region indicated that a revised signal warrant analysis should be conducted for the intersection based on a four-legged intersection utilizing traffic data provided by the Region. In addition, the Region requested a widening on Niagara Drive to accommodate three lanes at its northerly intersection with Simcoe Street North (two eastbound for turning left and right onto Simcoe Street North, and one westbound) and to facilitate safe operations with the driveway access on the opposite (east) side of Simcoe Street North. Currently there is one eastbound lane that accommodates both right turns and left turns onto Simcoe Street North. The widening of Niagara Drive adjacent to the intersection will allow for an additional lane to accommodate left turns and right turns separately, whether there are traffic signals or not.

An updated T.I.S Addendum was submitted which included an updated signal warrant analysis. It was determined that traffic signalization is unwarranted based on signalization criteria. However, it recommended that the Region consider traffic signalization due to the development in the area and to accommodate pedestrians.

A functional plan for the proposed intersection road improvements was prepared by Nextrans which depicted the road widening on Niagara Drive to facilitate the dedicated eastbound left turn lane and infrastructure for signalization. The updated T.I.S. Addendum and intersection functional plan were reviewed by professional transportation engineers at

the City and at the Region of Durham Works Department, and the reviewers have no objections.

The Region's unwarranted signals policy provides that in the event a traffic signal on a Regional road is proven "warranted" based on warrant criteria, the Region covers the upfront capital costs and the operating costs of the signals. However, if the signals are deemed "unwarranted", the lower-tier municipality must formally request the signals be installed and each of the Region and the lower-tier municipality cover 50% of the cost of the signals. Further, if the signals are unwarranted, the lower-tier municipality must cover the operating costs of the signals until the signals become warranted. In this case, Nextrans and the Region have found that the signals are currently unwarranted based on existing turning movements plus projected turning movements from the proposed development. However, the Applicant has advised that they will cover the City's up-front capital costs of the unwarranted signals. Staff recommend that the holding symbol on the zoning of the lands require the Applicant to make arrangements with the City and the Region for the construction of the signals concurrent with this development.

3.2.3 Privacy

Comment:

A concern was expressed that residents on Western Crescent would lose their privacy and sunlight if the proposed 10-storey building were to be built.

Staff Response:

Under the existing zoning, a building on the Subject Site is permitted a height of the more restrictive of 22.0 metres (72.2 ft.) or 6-storeys, with a minimum setback of 9.0 metres (29.53 ft.) from the rear lot line abutting the Western Crescent properties.

Based on the building design, the setback to the rear lot line varies depending on the particular floor of the building. The proposed building will have a minimum 9.5 metre (31.2 ft.) rear yard setback on the ground level, a minimum 8.0 metre (26.2 ft.) setback on floors 2 to 7, and a minimum setback of 20.0 metres (65.6 ft.) on floors 8, 9 and 10. Landscaping, amenity space and one loading space are proposed within the 9.5 metre (31.2 ft.) setback on the ground level.

Additionally, the Applicant has revised the proposal to reduce the size of the outdoor amenity areas at the recommendation of the City in order to reduce the ability for residents to overlook the neighbouring Western Crescent properties.

It is recommended that the implementing zoning by-law stipulate that balconies shall not be permitted on the western building elevation (i.e. the façade closest to a Residential Zone) unless the building face is setback at least 20 metres (65.6 ft.) from the rear (westerly) lot line and the balcony does not project greater than 4 metres (13.1 ft.), similar to the zoning restrictions for 1700 Simcoe Street North, 1900 Simcoe Street North and along the east side of Simcoe Street North, north of Taylorwood Road.

The proposed building is generally situated northeast of the Western Crescent properties. Any shadow impacts would generally only be during a short period in the morning. The building will generally cast shadows towards the north across Simcoe Street North and Niagara Drive.

3.2.4 Noise

Comment:

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

Staff Response:

A 6-storey building is currently a permitted use. Noises normally associated with residential land uses may be experienced at neighbouring properties.

3.2.5 Neighbourhood Compatibility

Comment:

Comments were made regarding the appropriateness of the proposed development within the existing character of the neighbourhood.

Staff Response:

The proposed development features a 10-storey (30.5m) mixed-use building located at the southwest corner of the north leg of Niagara Drive where it intersects with Simcoe Street North.

Simcoe Street North is classified as a Type “B” Arterial Road. The policies of the Durham Regional Official Plan (Envision Durham) and the O.O.P. encourage appropriate residential intensification along arterial roads. The proposed density of the mixed-use building is appropriate given its corner location with frontage on Simcoe Street North at the periphery of the neighbourhood, close to frequent transit. The proposed height of the building is comparable to other developments that have been approved or completed in similar contexts, such as the mixed-use buildings at 1700 Simcoe Street North and 1900 Simcoe Street North.

Higher density housing has been directed to lands having frontage along Simcoe Street North in order to minimize the need for student housing within the low density neighbourhoods located to the east and west of Simcoe Street North.

3.2.6 Environmental Impact

Comment:

A comment was received expressing concern that the proposed building would generate pollution, result in a loss of natural habitat and negatively impact the ecosystem.

Staff Response:

The Subject Site is currently occupied by three (3) single detached dwellings with associated landscaping (predominantly grassed lawns) and a doctor’s office. The lands do not form part of the City’s Natural Heritage System and do not contain recognized key natural heritage features. A 6-storey building is currently a permitted use on the Subject Site. There is no expected impact on the natural environment as a result of an increase in height from 6 to 10 storeys.

4.0 Analysis

4.1 Background

The Subject Site is generally located on the west side of Simcoe Street North, on the south side of the north leg of Niagara Drive, and is municipally known as 1804, 1806 and 1808 Simcoe Street North and 426 Niagara Drive (see Attachment 1).

The following is background information concerning the subject revised applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Planned Commercial Strip and partially within an Intensification Area along a Regional Corridor	Planned Commercial Strip and partially within an Intensification Area along a Regional Corridor, subject to a site specific policy to permit a maximum residential density of 862 units per hectare (350 units/ac.)
Samac Secondary Plan Designation	Mixed Use Commercial/Residential	Mixed Use Commercial/Residential subject to a site specific policy to permit a maximum residential density of 862 units per hectare (350 units/ac.)
Durham Regional Official Plan (Envision Durham) Designation	Rapid Transit Corridor on a Rapid Transit Spine	No change

Item	Existing	Requested/Proposed
Zoning By-law 60-94	MU-B(2) “h-48” (Mixed Use)	An appropriate site specific MU-B (Mixed Use) 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 lot coverage, reduced landscaped open space, yard depths, parking and loading, and to permit a building partially in the corner sight triangle and driveway sight triangles above the ground floor
Use	1804 Simcoe Street North – Single detached dwelling 1806 Simcoe Street North – Single detached dwelling 1808 Simcoe Street North – Physiotherapy clinic 426 Niagara Drive – Single detached dwelling	10-storey mixed-use building with 392 student apartment units and up to 2,512 square metres (27,039 sq. ft.) of commercial floor space on the ground floor and second floor

The following land uses are adjacent to the Subject Site:

- **North** Niagara Drive, beyond which is a commercial plaza
- **South** A single detached dwelling at 1802 Simcoe Street North and a 4-storey mixed-use building at 1800 Simcoe Street North
- **East** Simcoe Street North, beyond which is a 4-storey student apartment building and single detached dwellings
- **West** Single detached dwellings fronting Western Crescent

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

Site Statistics Item	Measurement
Lot Frontage	Simcoe Street North – 46m (151 ft.) Niagara Drive – 83m (272 ft.)
Gross Lot Area (inclusive of road widenings)	0.47 ha (1.16 ac.)

Site Statistics Item	Measurement
Net Lot Area (exclusive of road widenings)	0.455 ha (1.12 ac.)
Number of Proposed Apartment Units	392 units: – 133 studio units – 164 one-bedroom units – 95 two-bedroom units
Maximum Net Residential Density Permitted in a MU-B(2) Zone	150 units per net hectare (60.7 u/ac.) (69 units given the size of the Subject Site)
Proposed Net Residential Density	862 units per hectare (350 units/ac.)
Proposed Gross Floor Area of Commercial Uses	2,466 sq. m. (26,543 sq. ft.); however, if the floor area proposed for a transit station is not required for that purpose, then the commercial floor area would increase to 2,512 sq. m. (27,039 sq. ft.)
Maximum Permitted Building Height in MU-B(2) Zone	22.0m (72.2 ft.) or 6 storeys, whichever is most restrictive
Height of Proposed Mixed Use Building	30.5m (101 ft.) (10 storeys)
Floor Space Index (amount of proposed total floor area divided by net lot area)	6.0
Parking Spaces Required if Condominium	Residential – 686 (1.45 spaces per unit for residents plus 0.3 spaces per unit for visitors) Commercial – 105 (1 space per 24 sq. m. of gross floor area if transit station floor space is used for commercial purposes) Total – 789
Parking Spaces Required if Rental	Residential – 521 (1 space per unit for residents plus 0.33 spaces per unit for visitors) Commercial – 105 (1 space per 24 sq. m. of gross floor area if transit station floor space is used for commercial purposes) Total – 624
Parking Spaces Provided	Residential – 194 [0.345 spaces per bed for residents (equating to 168 spaces) plus 0.053 spaces per bed for visitors (equating to 26 spaces)] Commercial – 103 (1 space per 24.4 sq. m. of gross floor area if transit station floor space is used for commercial

Site Statistics Item	Measurement
	purposes) Total – 297
Number of Bicycle Parking Stalls Proposed	290
Loading Spaces Required	3 large
Loading Spaces Proposed	3 large (however, staff do not support where the loading space in the rear yard is proposed to be located)

4.2 Oshawa Official Plan

The Subject Site is designated Planned Commercial Strip in the O.O.P., and is partially located within an Intensification Area along a Regional Corridor.

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

Generally, the gross retail and personal service use components of Planned Commercial Strip development shall not exceed 1,400 square metres (15,070 sq. ft.) of floor space.

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

- (a) Generally located within the Downtown Oshawa Urban Growth Centre, or in proximity to arterial roads within the Main Central Areas, Sub-Central Areas Community Central Areas or within Intensification Areas along Regional Corridors; and;
- (b) Generally located in such a manner that the scale, form and impacts of this type of housing are generally compatible with adjacent land uses.

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

The proposed mixed-use residential/commercial development would have a net residential density of approximately 862 units per hectare (350 u/ac.) which is greater than the High Density II Residential classification. Accordingly, an Official Plan Amendment is required to permit the proposed development by adding a site specific policy to permit the proposed increased residential density.

The Subject Site is generally located on a Regional Corridor and within an Intensification Area, with the exception of that portion of the site known as 426 Niagara Drive which is not shown as being within an Intensification Area on Schedule 'A-2', Corridors and Intensification Areas, in the O.O.P.

The O.O.P. specifies, in part, that Regional Corridors shall be planned and developed as mixed-use areas in accordance with the principles outlined in Policy 2.1.6.2 of the O.O.P. and the relevant policies of the underlying land use designation(s), with the objectives of achieving higher density, intensive and compact built form and complementary mixed-uses. Development within Regional Corridors shall facilitate and complement higher order transit services, walking and cycling with an emphasis on pedestrian-oriented design that is focused upon and reinforces the public realm. In this regard, development shall facilitate efficient multi-modal transportation links between, and connections to, the Downtown Main Central Area, the Windfields Main Central Area, Sub-Central Areas and Community Central Areas in Oshawa, as well as Regional Centres and other Centres in adjacent municipalities.

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

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

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

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

Policy 2.1.6.2(q) of the O.O.P. stipulates that where a difference in scale exists between new development proposed on Corridors and existing stable neighbourhoods, the new development shall utilize transition strategies through adequate spatial relationships, massing and built form, including by creating appropriate setbacks and implementing strategies such as stepbacks and 45 degree angular planes.

Policies 6.8.1 and 6.8.3 of the O.O.P. specify:

- “6.7.1 The City shall encourage a range of housing accommodation appropriate for the needs of the students enrolled in programs offered by the University of Ontario Institute of Technology, Trent University, Queen’s University and Durham College.”
- “6.7.3 The City shall encourage an appropriate supply of off-campus student accommodation in appropriate locations.”

Simcoe Street North is designated as a Type ‘B’ Arterial Road on Schedule “B”, Road Network, of the O.O.P. Simcoe Street North is also identified as a Regional Transit Spine on Schedule “B-1”, Transit Priority Network, of the O.O.P. Niagara Drive is designated as a Collector Road.

This Department has no objection to the approval of the revised application to amend the O.O.P. Section 4.8 of this Report sets out the rationale for this position.

4.3 Samac Secondary Plan

The Subject Site is designated Mixed Use Commercial/Residential in the Samac Secondary Plan.

The Samac Secondary Plan specifies, in part, that areas designated Mixed Use Commercial/Residential on the west side of Simcoe Street North on Schedule “A”, Samac Land Use and Street Plan, and designated as Planned Commercial Strip in the Oshawa Official Plan shall be used for Medium Density I Residential, office, commercial, limited community uses and personal service uses adhering to a pedestrian oriented design.

In addition, Medium Density II Residential uses shall be permitted in accordance with Table 2 of the O.O.P. Conversions of existing buildings to office or personal service uses are also permitted. Generally, the gross retail and personal service use components of Mixed Use Commercial/Residential developments shall not exceed 1,400 square metres (15,070 sq. ft.) of floor space.

The Medium Density I Residential classification generally corresponds to types of residential development, such as townhouses and low-rise apartment buildings, that achieve a density of 30 to 60 units per hectare (12 to 24 u/ac.). The Medium Density II Residential classification generally includes such uses as townhouses, stacked townhouses and low and mid-rise apartments at a density of 60 to 85 units per hectare (24 to 34 u/ac.). Policy 2.2.4 reads as follows:

“2.2.4 Notwithstanding Policy 2.2.1 to the contrary, a maximum density of 150 units per hectare shall be permitted on lands generally located west of Simcoe Street North and south of the north leg of Niagara Drive and municipally known as 1720 to 1808 Simcoe Street North and 426 Niagara Drive.”

The development proposed by the Applicant features, in part, 392 student apartment units. The proposed development has a net residential density of approximately 862 units per hectare (350 u/ac.). Accordingly, an amendment to the Samac Secondary Plan is required to permit the proposed development by adding a site specific policy to permit the proposed increased residential density.

This Department has no objection to the approval of the revised application to amend the Secondary Plan for the Samac Community. Section 4.8 of this Report sets out the rationale for this position.

4.4 Durham Regional Official Plan

The new Durham Regional Official Plan (Envision Durham) was approved by the Province of Ontario and came into effect on September 3, 2024. However, effective January 1, 2025, the Ontario Planning Act, R.S.O. 1990, c.P.13 (the “Planning Act”), classifies the Regional Municipality of Durham as an upper-tier municipality without planning responsibilities. The Planning Act stipulates that the portions of an official plan of an upper-tier municipality without planning responsibilities that apply to a lower-tier municipality (e.g., the City of Oshawa) are deemed to constitute an official plan of the lower-tier municipality, and its plan remains in effect until the lower-tier municipality revokes it or amends it. This means that Envision Durham is an official plan of the City of Oshawa as it relates to the City of Oshawa.

The Subject Site is designated as a Rapid Transit Corridor in Envision Durham. Simcoe Street is designated as a Rapid Transit Spine between Highway 407 and the future Central Oshawa GO Station. Rapid Transit Corridors are categorized as Strategic Growth Areas (S.G.A.s). S.G.A.s such as Rapid Transit Corridors represent optimal locations for prioritizing intensification and higher density mixed-use development. S.G.A.s are planned as focal points for more intensive forms of development and as locations to achieve transit supportive densities within the Region’s Urban System. Envision Durham directs intensification and higher density, compact forms of residential, commercial and employment generating uses such as office and major office, major institutional uses and mixed-use development to S.G.A.s. Envision Durham establishes a minimum transit supportive density target of 150 people and jobs per hectare within Rapid Transit Corridors. Envision Durham supports planning and development of Rapid Transit Corridors based on a built form that is compact, pedestrian-friendly and implements transit-

oriented development design principles. Rapid Transit Corridors are intended to provide for a full range and mix of uses including commercial, retail, institutional, residential, personal services, offices and other uses in a higher density, compact and pedestrian-oriented built form.

The revised applications conform to Envision Durham.

4.5 Zoning By-law 60-94

The Subject Site is currently zoned MU-B(2) "h-48" (Mixed Use) (see Attachment 1) which permits mixed-use buildings. Attachment 5 is a list of all residential and non-residential uses permitted in the MU-B(2) Zone.

The MU-B(2) Zone permits a mixed-use commercial/residential building with a maximum residential density of 150 units per hectare (60 u/ac.) and a maximum height of the more restrictive of 22.0 metres (72.18 ft.) or 6 storeys. As it relates to the Subject Site, the current zoning permits a 6-storey building having a 9 metre (29.5 ft.) rear yard depth with up to approximately 69 residential units as well as commercial floor space.

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

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

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

The Applicant has submitted a revised application to amend Zoning By-law 60-94 to permit a 10-storey mixed-use building containing 392 student apartment units and up to 2,512 square metres (27,039 sq. ft.) of commercial floor space. The proposed amendment would rezone the Subject Site to an appropriate MU-B (Mixed Use) Zone to permit the proposed development and would include a special condition to permit certain performance standards such as, but not necessarily limited to, increased residential density, building height and lot coverage, reduced landscaped open space, yard depths, parking and loading, and to permit the building to be located partially within the corner sight triangle and driveway sight triangles above the ground floor.

The Applicant's proposed zoning also requests permission for the building to overhang the road allowances (post widening) of each of Simcoe Street North and Niagara Drive. However, staff do not support zoning that would permit the building to encroach over the

City's Niagara Drive road allowance, with the exception of architectural features that do not consist of habitable/usable space.

The Applicant's proposed zoning also requests permission for balconies on all building faces. The current MU-B(2) Zone does not prohibit balconies. However, considering the increased building height and the privacy concerns raised by members of the public, staff recommend that balconies not be permitted on the western building elevation (i.e. the façade closest to a Residential Zone) unless said building face is setback at least 20 metres (65.6 ft.) from the Residential Zone and the balcony does not project greater than 4 metres (13.1 ft.).

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

- Rezone the Subject Site from MU-B(2) "h-48" (Residential) to an appropriate MU-B (Mixed Use) Zone to permit a maximum of 392 apartment units; and,
- Implement special zoning regulations to facilitate the proposed site and building designs, such as but not necessarily limited to:
 - Increased residential density, building height and lot coverage;
 - Reduced parking and loading;
 - Reduced yard depths abutting Simcoe Street North, Niagara Drive and the southerly interior side lot lines;
 - Minimum rear yard depths of 9.5 metres (31.2 ft.) at ground level, 8 metres (26.2 ft.) for floors 2 to 7, and 20 metres (65.6 ft.) for floors 8, 9 and 10;
 - Permitting the building to be located in the corner sight triangle and driveway sight triangles above the ground level in order that sight lines are not obstructed;
 - Prohibiting balconies on the west-facing walls unless the wall is setback at least 20 metres (65.6 ft.) from the abutting Residential Zone; and,
 - Permitting a maximum non-residential gross floor area of 2,512 square metres (27,039 sq. ft.).

This Department recommends that a new holding provision be applied to the Subject Site. This new holding provision would include the provisions of the current "h-48" Holding Zone plus an additional provision requiring that arrangements be made for the installation of traffic signals at the intersection of Simcoe Street North and the northerly leg of Niagara Drive at no capital cost to the City of Oshawa.

This Department also recommends that a separate holding provision be applied to a portion of the Simcoe Street North road allowance that stipulates that the building may project over the Simcoe Street North road allowance only if approved by the Region of Durham. In the event the Region does not approve the encroachment, then the holding provision cannot be lifted and the building cannot encroach over the post-road widening

property line. The Applicant has also requested that this holding provision apply over the Niagara Drive road widening that the Applicant must convey to the City. However, City staff do not support the construction of buildings on, over or under the City's road allowances. The Applicant has been advised of this position repeatedly since 2023.

The purpose of the "h" Holding Zones would be to restrict development of the proposed mixed-use building until such time as appropriate arrangements have been made with the City and/or the Region to address the various matters noted above.

This Department has no objection to the approval of the revised application to amend Zoning By-law 60-94 subject to the comments noted above. Section 4.8 of this Report sets out the rationale for this position.

4.6 Student Accommodation Strategy

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

The Applicant's intention is to market the apartment units to students attending Ontario Tech University and Durham College which are located near the Subject Site.

4.7 Site Design/Land Use Considerations

The Applicant proposes to develop a new 10-storey, mixed-use commercial/residential building containing 392 student apartment units and 2,466 square metres (26,543 sq. ft.) of commercial floor space on the ground and second floors (see Attachment 4).

Driveway access for the proposed building is proposed from Niagara Drive. The site design includes an off-road short term passenger pick-up/drop-off area within the Subject Site adjacent to the building's main entrance.

The commercial floor space is intended to consist of a grocery store, four retail units and a commercial gym.

The proposed building includes parking and loading spaces within the two-level underground parking garage. The revised site plan (see Attachment 4) also shows a proposed loading space located in the rear yard. However, staff do not support the placement of a loading space in the rear yard due to its proximity to adjacent residential properties on Western Crescent, the restricted maneuverability of truck drivers to access or exit the loading space, and the fact that Zoning By-law 60-94 requires a minimum 4.5 metre (14.8 ft.) wide landscape strip adjacent to Residentially zoned lands. The Applicant has agreed to remove the loading space. The building will continue to have two (2) large loading spaces inside the building.

The parking spaces dedicated to residents are proposed to be managed by an automated stacked parking system in a portion of the garage. In terms of functionality, residents will load their vehicle into a designated cabin area where they will be required to answer a

series of questions to initiate the operating system. The system will then utilize lifts, conveyors, shuttles and robotic carriers to park the vehicle in an available parking space. Residents will have to interact with the operating system in order to retrieve their vehicle from the parking facility. There will be designated operations rooms next to the parking cabin for residents to wait in while engaged in the retrieval process (i.e. initiating, monitoring and tracking the retrieval of their vehicles).

The proposed building also includes the following features:

- A 46 square metre (495 sq. ft.) area for a future transit station, which has been incorporated into the design of the ground floor of the proposed building, subject to the request of the Region. If the floor area is not required for a transit station, it will be used as commercial floor space;
- 290 indoor bicycle parking spaces; and,
- Amenity spaces in the form of a courtyard, outdoor pool and green roofs.

In the original site plan (see Attachment 3), the proposed building encroaches over portions of the Simcoe Street North and Niagara Drive road allowances. Simcoe Street North is under the jurisdiction of the Region of Durham. Niagara Drive is under the jurisdiction of the City. Property owners do not have the authority to encroach over road allowances unless granted the authority by the Region or the City with respect to their respective roads.

The Applicant's revised plans continue to show a portion of the upper floors of the building encroaching over the City's Niagara Drive road allowance and the Region's Simcoe Street North road allowance (see Attachments 7, 8 and 9). Staff do not support any portion of the building [other than architectural features (e.g. canopies, signage, fins, etc.) in certain cases] encroaching over the City road allowance and has advised the Applicant of this position since 2023. However, the Region has agreed to continue discussing and considering the encroachment over the Simcoe Street North road allowance despite the need for new traffic signals at the intersection and the future rapid transit infrastructure that will be in Simcoe Street North. This will be resolved as part of the site plan approval application process in the event that the subject official plan and zoning by-law amendment applications are approved. If the Region and Applicant cannot come to an arrangement, the building will need to be designed to be fully on the Subject Site (post road widening).

The Applicant and Region are working on the design of Simcoe Street North, Niagara Drive and the intersection in order to accommodate separate left turn and right turn lanes from Niagara Drive and to accommodate traffic signals for the intersection. This site design includes a road widening to the City for Niagara Drive to accommodate its widening.

In support of the proposed site design/development the Applicant has submitted a variety of plans and documents including a site plan, floor plans, elevation plans, landscape plans, a servicing plan, a grading plan, erosion and sediment control plans, a functional servicing

and stormwater management report, a calcium carbonate assessment, a noise study, a planning justification report and a traffic impact study.

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

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

- (a) Site/building design matters including driveway access, parking, refuse storage and collection, loading, building architecture, building setbacks and fire access;
- (b) Arrangements for the encroachment of the proposed building over the Simcoe Street North road allowance;
- (c) Servicing and stormwater management matters;
- (d) Lighting;
- (e) Landscaping and streetscape design;
- (f) Road widening requirements on Niagara Drive and Simcoe Street North road allowances;
- (g) Transportation considerations including the signalization of the intersection and widening of Niagara Drive;
- (h) Compatibility with the Oshawa Executive Airport; and,
- (i) Noise attenuation.

4.8 Basis for Recommendation

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

- (a) Developing underutilized properties to a more intensive use in an Intensification Area is consistent with the Provincial Planning Statement, 2024.
- (b) The proposed development conforms to the Durham Regional Official Plan (Envision Durham).
- (c) The Subject Site is already zoned to permit mixed use buildings albeit at a lower density and lower height.
- (d) The proposal will advance development that is within the City's Built Boundary.

- (e) The proposed development is an appropriate use, form and scale of development given its location in an Intensification Area and at a corner location.
- (f) The proposed development contributes to a range of housing types in the area.
- (g) The development can be designed to be compatible with surrounding land uses.
- (h) The proposed development will have access to nearby amenities and is transit supportive given its proximity to existing Durham Region Transit bus stops and routes (Routes 901 and 905) as well as the planned future rapid transit infrastructure along Simcoe Street North.
- (i) The proposed parking supply is consistent with the parking required at other mixed use residential/commercial sites featuring purpose-built student accommodations in the Simcoe Street North corridor near the Durham College and Ontario Tech University main campus. The proposed residential parking rates are higher than the parking rate that was recommended in the City-wide Parking Study prepared by IBI Group in 2021. IBI Group had recommended 0.20 spaces per bedroom plus 0.05 spaces per bedroom for visitors (total 122 spaces), whereas the Applicant proposes 0.345 spaces per bedroom plus 0.053 spaces per bedroom for visitors (total 194 spaces).
- (j) The proposed development will make more efficient use of existing municipal services such as water and sanitary services.
- (k) The proposed development will help the City's efforts to achieve the delivery of 23,000 new housing units in Oshawa between 2022 and 2031, as targeted by the Province.
- (l) Through the application of new "h" holding symbols to the zoning of the Subject Site, detailed design matters, including encroachments over the road allowances, landscaping and traffic signals, can appropriately be addressed during the site plan approval process.
- (m) The proposed development represents good planning.

5.0 Financial Implications

The applicable holding symbol will require the Applicant to cover any portion of the upfront capital costs associated with the signalization of the intersection that would otherwise be the responsibility of the City for unwarranted signals.

There will be costs to the City for the on-going operation of the new traffic signals until the signals become warranted. Staff have requested the Region provide an estimate of the annual cost to the City to operate the unwarranted signals. As of the date of this Report, the Region has not provided an estimate. Staff will endeavour to obtain the estimate by the next City Council meeting (February 24, 2025).

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.

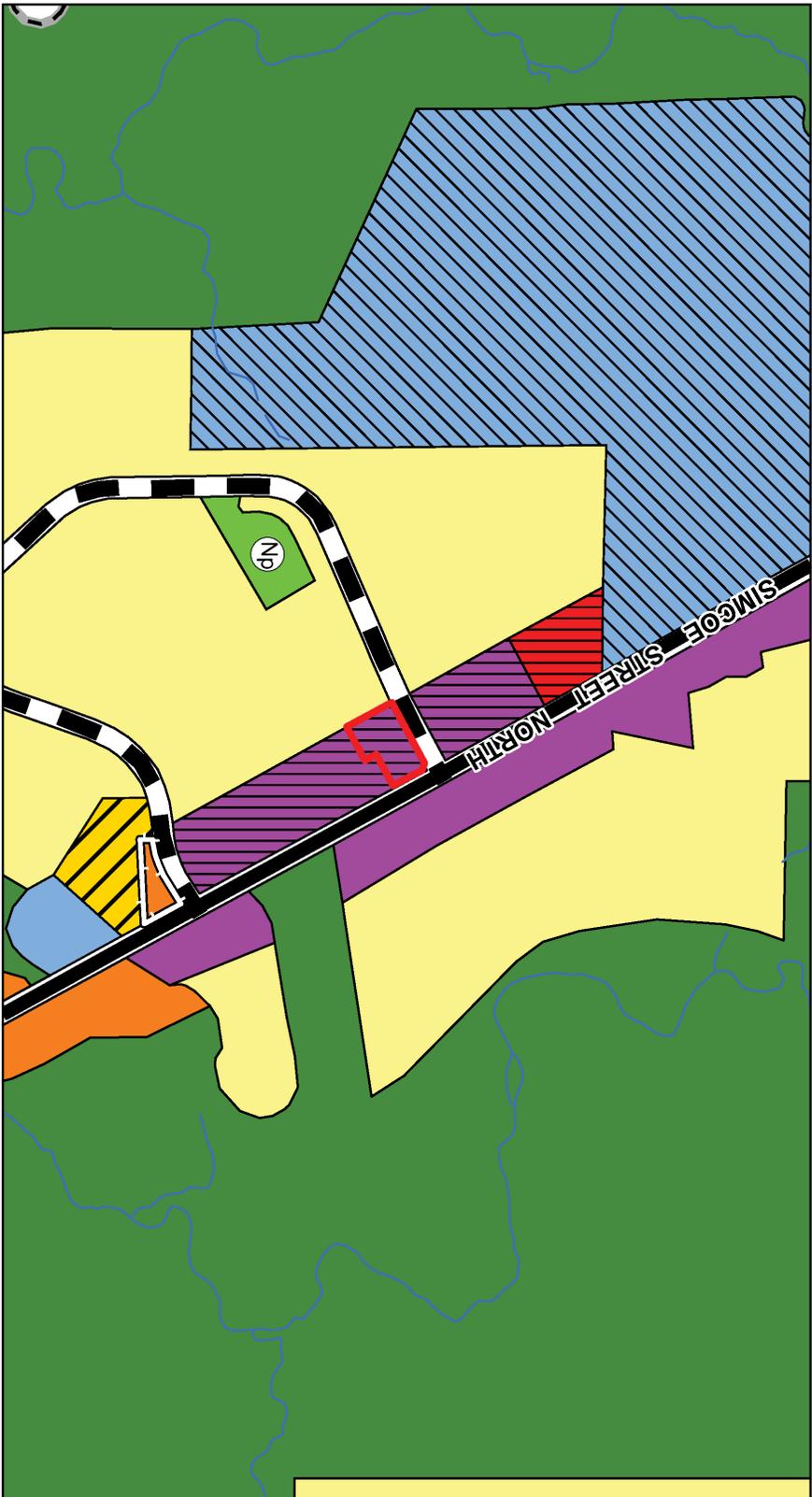


Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,
Planning Services



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

Title: Excerpt from Schedule 'A', Samac Land Use and Street Plan
 Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership, 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive
 Ward: Ward 2
 File: OPA-2024-01, Z-2024-01
 Subject Site



Schedule 'A'
Samac Land Use and Street Plan

Secondary Plan for the Samac Community Official Plan of the former Oshawa Planning Area

March 2024

Economic and Development Services



Legend

Residential Low Density	Open Space and Recreation Neighbourhood Park	Institutional Institutional
Residential Medium Density I	Open Space and Recreation Open Space and Recreation	Mixed Use Mixed Use Commercial/Residential
Residential High Density II	Commercial Planned Commercial Strip	Mixed Use Residential
Samac Secondary Plan Subject to Policy 4.23 in the Samac Secondary Plan	Convenience Commercial Centre	Mixed Use Node
Samac Secondary Plan Subject to Policy 4.24 in the Samac Secondary Plan	Community Use	Transportation
Samac Secondary Plan Subject to Policy 4.25 in the Samac Secondary Plan	Place of Worship	Type 'A' Arterial Street
Samac Secondary Plan Subject to Policy 4.26 in the Samac Secondary Plan	Other	Type 'B' Arterial Street
Separate Elementary School	Public Elementary School	Type 'C' Arterial Street
	Separate Elementary School	Collector Street
		Samac Community Boundary

List of Permitted Uses in the MU-B(2) Zone

The following uses are permitted in the MU-B(2) Zone:

- (a) Animal hospital
- (b) Apartment building
- (c) Art gallery
- (d) Block townhouse
- (e) Brew your own operation
- (f) Commercial school
- (g) Commercial recreation establishment, except a billiard hall
- (h) Day care centre
- (i) Financial institution
- (j) Flat
- (k) Hotel
- (l) Long Term Care Facility
- (m) Merchandise service shop
- (n) Nursing home
- (o) Office
- (p) Personal service establishment
- (q) Printing establishment
- (r) Private school
- (s) Restaurant
- (t) Retail store
- (u) Retirement home
- (v) Street townhouse building with lot frontage on a local or collector road

Excerpts from the Minutes of the Economic and Development Services Committee Meeting held on October 7, 2024

Application ED-24-110

Presentation

Bousfield Inc. – Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership, 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive (Ward 2)

Kate Cooper, Bousfields Inc. and Frank Taher, 6ix Design/6Dev provided a presentation concerning an application to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 at 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive.

The Committee questioned Kate Cooper, Bousfields Inc. and Frank Taher, 6ix Design/6Dev.

Delegations

Colin McLorg – Report ED-24-110

Colin McLorg addressed the Economic and Development Services Committee concerning the application to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 at 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive stating concerns with the design, traffic patterns and safety.

The Committee questioned Colin McLorg.

Correspondence

ED-24-117 – Various Residents Submitting Comments Concerning Report ED-24-110 (Ward 2)

Moved by Councillor Giberson

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

That Correspondence ED-24-117 from various residents submitting comments concerning Report ED-24-110 regarding an application to amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94 at 1804, 1806 and 1808 Simcoe Street North and 426 Niagara Drive be referred to Report ED-24-110.

Motion Carried

Reports

ED-24-110 - Application to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership, 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive (Ward 2)

Moved by Councillor Giberson

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

That, pursuant to Report ED-24-110 dated October 2, 2024, concerning the applications submitted by Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership to amend the Oshawa Official Plan, the Secondary Plan for the Samac Community (File: OPA-2024-01) and Zoning By-law 60-94 (File: Z-2024-01) to permit the development of a 10-storey mixed-use building with 386 apartment units and 2,478 square metres (26,674 sq. ft.) of commercial floor space at 1804, 1806 and 1808 Simcoe Street North and 426 Niagara Drive, staff be directed to further review and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

Motion Carried

**Item: ED-25-21
Attachment 7**

Title: Ground to 4th Floors
Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, Bousfields Inc.
Address: on behalf of Oshawa 6IX Limited Partnership, 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive
Ward: Ward 2
File: OPA-2024-01, Z-2024-01

City of Oshawa
Economic and Development Services



4th Floor



2nd Floor



3rd Floor



Ground Floor

**Item: ED-25-21
Attachment 8**

Title: 5th to 8th Floors
Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, Bousfields Inc.
Address: on behalf of Oshawa 6IX Limited Partnership, 1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive
Ward: Ward 2
File: OPA-2024-01, Z-2024-01

City of Oshawa
Economic and Development Services



8th Floor



6nd Floor



7th Floor



5th Floor

Title: 9th and 10th Floors
Subject: Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, Bousfields Inc. on behalf of Oshawa 6IX Limited Partnership,
1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive

Item: ED-25-21
Attachment 9

Ward: Ward 2
File: OPA-2024-01, Z-2024-01

City of Oshawa
Economic and Development Services



10th Floor



9th Floor