

To: Economic and Development Services Committee

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

Report Number: ED-25-50

Date of Report: April 30, 2025

Date of Meeting: May 5, 2025

Subject: City-initiated Amendments to the Oshawa Official Plan and
Zoning By-law 60-94

Ward: All Wards

File: 12-12-4539

1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting to consider various proposed City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94.

The proposed amendments are set out in Attachment 1 to this Report.

A notice advertising the public meeting was provided to all required public bodies as well as posted on the City's website and communicated through its Corporate social media accounts, as appropriate. The notice was also provided in accordance with the City's Public Notice Policy GOV-23-02.

The notice regarding the public meeting provided an advisory that the meeting is open to the public and will take place in person in the Council Chamber at Oshawa City Hall. Members of the public wishing to address the Economic and Development Services Committee through electronic means rather than appear in-person to make a delegation were invited to register their intent to participate electronically by 12:00 p.m. on May 2, 2025.

2.0 Recommendation

That, the Economic and Development Services Committee select an appropriate option as set out in Section 4.2 of Report ED-25-50 dated April 30, 2025.

3.0 Input from Other Sources

3.1 Other Departments and Agencies

The proposed amendments to the Oshawa Official Plan and Zoning By-law 60-94 have been circulated for comment and the identification of issues to a number of departments and agencies. No department or agency that provided comments has any objection to the proposed amendments.

4.0 Analysis

4.1 Background

On June 6, 1994, Council adopted Comprehensive Zoning By-law 60-94 for the City of Oshawa. During the process which led to the adoption of Zoning By-law 60-94, Council was advised that this Department would regularly review and update the by-law to address any problems, keep the by-law current, user friendly and able to expedite appropriate development.

As a result of these regular reviews and updates, Council has approved a number of City-initiated, technical and housekeeping amendments to the Official Plan and Zoning By-law 60-94.

It is now appropriate to consider another round of City-initiated amendments to address issues which have been identified since the last update. The proposed amendments are set out in Attachment 1 to this Report.

On March 31, 2025, Council considered Report ED-25-36 dated February 26, 2025 and authorized this Department to initiate the public process that will allow Council to consider the City-initiated amendments.

The proposed amendments are intended to improve customer service, maintain the currency and effectiveness of the Oshawa Official Plan and Zoning By-law 60-94 and reduce the number of minor variance applications to the Committee of Adjustment.

4.2 Options

At the conclusion of the public meeting, two options are available to the Economic and Development Services Committee to deal with the proposed amendments.

4.2.1 Option 1: Approve/Adopt the Proposed Amendments

At the conclusion of a public meeting, staff are normally directed to further review the proposal and prepare a subsequent report and recommendation to the Economic and Development Services Committee. In this case, however, the proposed amendments may not raise public or Economic and Development Services Committee concern.

Accordingly, the Economic and Development Services Committee may wish to pass the following motion in the event no significant issues are raised at the public meeting:

“That the Economic and Development Services Committee recommend to City Council that the proposed amendments to the Oshawa Official Plan and Zoning By-law 60-94 as generally set out in Attachment 1 to Report ED-25-50 dated April 30, 2024 be adopted, and that the appropriate amending by-laws be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.”

4.2.2 Option 2: Direct Staff to Further Review the Proposed Amendments and Report Back to the Economic and Development Services Committee

In the event significant issues are raised by the public and/or the Economic and Development Services Committee at the public meeting, then staff should be directed to further review the proposed amendments and prepare a subsequent report. In this case, the following motion should be passed by the Economic and Development Services Committee:

“That staff be directed to further review the proposed City-initiated amendments to the Oshawa Official Plan and Zoning By-law 60-94, as generally set out in Attachment 1 to Report ED-25-50 dated April 30, 2025, 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.”

5.0 Financial Implications

Anticipated costs to the City are included in appropriate 2025 Departmental budgets and relate primarily to the passing of any by-laws.

6.0 Relationship to the Oshawa Strategic Plan

This Report responds to the Oshawa Strategic Plan Priority Area:

“Lead: Governance and Service Excellence” with the goal to offer community engagement activities that enhance transparency and bring diverse voices and perspectives into decision-making processes.



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



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

**1. Oshawa Official Plan Schedule "A" – Land Use and Zoning By-law
Schedule A: North Half**

Issue:

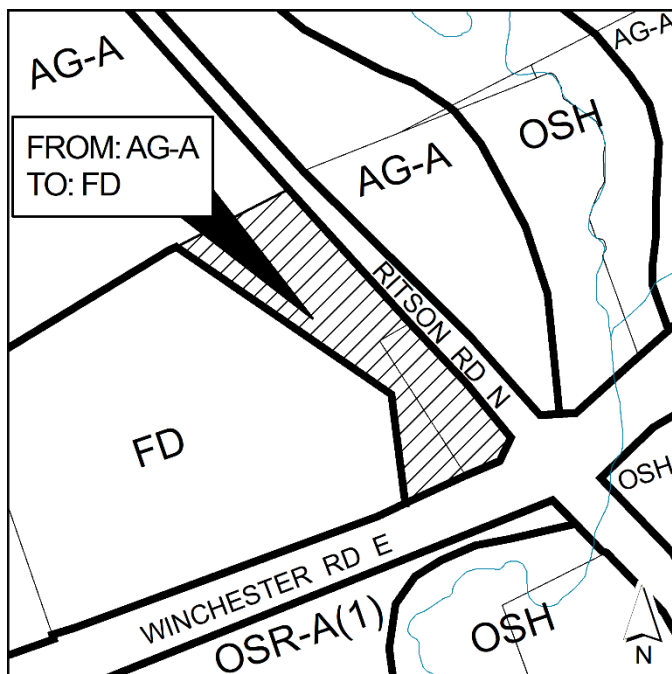
The lands subject to this amendment are generally located north of Winchester Road East and west of Ritson Road North. These lands are designated as Open Space and Recreation in the Oshawa Official Plan (the "O.O.P.") and are zoned as AG-A (Agricultural) in Zoning By-law 60-94.

Amendments to the Greenbelt Plan have removed these lands from the Greenbelt Protected Countryside Area Boundary. To maintain conformity with Provincial policy it is appropriate to update Schedule 'A', Land Use North Half, of the O.O.P. to reflect this boundary change.

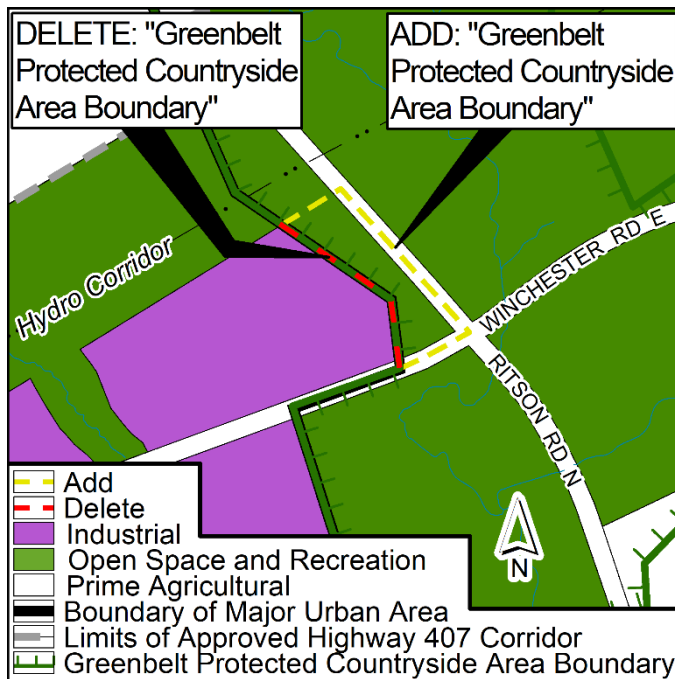
Further, it is appropriate to amend the Zoning By-law by rezoning the subject lands from AG-A (Agricultural) to FD (Future Development) to allow existing uses to continue while acknowledging there currently is no guidance (such as a development proposal) to conclusively determine an appropriate future specific zoning category (or categories) for these lands. The FD Zone currently applies to contiguous lands to the west.

Proposed Amendment:

- (a) Amend Schedule "A" – North Half of the Zoning By-law to rezone the lands generally located north of Winchester Road East and west of Ritson Road North as shown in hatching on the map below from the AG-A (Agricultural) Zone to the FD (Future Development) Zone.



- (b) Amend Schedule “A”, Land Use – North Half, of the O.O.P. to delete the “Greenbelt Protected Countryside Area Boundary” line feature in certain locations and add a “Greenbelt Protected Countryside Area Boundary” line feature in certain locations as generally shown on the map below:



2. Zoning By-law Sections 2, 3, 4, 5, 9, 11, 17, 38(B) and 39

Issue:

The provisions of the R3 (Residential) Zone regulate Street Townhouses and Back-to-Back Townhouses. The provisions of the R4 (Residential) Zone regulate Block Townhouses. It is appropriate to update the definitions of each form of housing to provide greater clarity regarding the distinctions between each type based on context.

Back-to-Back Townhouses are townhouses where each dwelling unit shares a common rear wall with another dwelling unit. The Zoning By-law contains the following definitions for a Back-to-Back Townhouse Building and a Back-to-Back Townhouse Dwelling:

“BACK-TO-BACK TOWNHOUSE BUILDING” means a townhouse that shares a common rear wall with another townhouse for at least fifty percent (50%) of its width with each dwelling unit having lot frontage.

“BACK-TO-BACK TOWNHOUSE DWELLING” means one of the dwelling units originally constructed in a back-to-back townhouse building.”

These definitions need to be updated to clarify the distinction between Back-to-Back Townhouse units that have direct frontage on a public street (recommended to be referred to as a “Back-to-Back Street Townhouse”), and Back-to-Back Townhouses that are in a block format where each unit has frontage on a private street (recommended to be referred to as a “Back-to-Back Block Townhouse”), by providing a definition for each form.

Examples of Back-to-Back Street Townhouse Buildings/Dwellings are the back-to-back townhouses on Nearco Crescent and on the south side of Far North Court. Examples of Back-to-Back Block Townhouses are the townhouses at 420 Bristol Crescent and 100 Rideau Street. The format of Back-to-Back Block Townhouses is flexible provided that they are in a general block townhouse format and the units are accessed by a private road.

Back-to-Back Street Townhouses would continue to be permitted as standard uses in the R3-B (Residential) Zone and MU-A and MU-B (Mixed Use) Zones. Back-to-Back Block Townhouses would continue to be permitted as standard uses in the R4-A (Residential) Zone, PCC (Planned Commercial Centre) Zone, PSC-A (Planned Strip Commercial) Zone and MU (Mixed Use) Zones.

To account for the proposed changes to these existing generic definitions and the introduction of supplementary definitions to explicitly recognize the full range of townhouse typologies, it is necessary to undertake reciprocal amendments to other provisions of the Zoning By-law. These include updating provisions currently containing generic references to townhouses to ensure they explicitly identify the appropriate townhouse type(s) to which the provisions should apply, as well as removing the term “back-to-back townhouse” where it is currently listed in conjunction with the term “block townhouse”, as the definition of the latter now includes the former. Staff also note that with the proposed introduction of a definition for back-to-back street townhouse dwellings, it is appropriate that the parking requirements listed in Section 39 be amended to specify the minimum number of spaces for that particular townhouse type.

It is important to note that there are no units stacked within back-to-back townhouses. “Stacked townhouses” are considered apartment buildings by definition and are not permitted in R3 (Residential) and R4 (Residential) zones.

Proposed Amendment:

(a) Amend Section 2 of Zoning By-law 60-94 as follows:

- Delete the definition of “Back-to-Back Townhouse Building” and replace it with the following definition:

“**BACK-TO-BACK STREET TOWNHOUSE BUILDING**” means a townhouse having dwelling units that share common rear walls with other dwelling units and where each dwelling unit has lot frontage on and direct vehicular access to an improved street that is maintained by a municipality. Notwithstanding any other provision of this By-law to the contrary, for the purpose of this definition, an improved street shall have the meaning defined in Section 2 of this By-law and not the meaning defined in Article 5.13.1.”
- Delete the definition of “Back-to-Back Townhouse Dwelling” and replace it with the following definition:

“**BACK-TO-BACK STREET TOWNHOUSE DWELLING**” means one of the dwelling units originally constructed in a back-to-back street townhouse building.”

- Add the following definition after the definition of “Aviation Related” and before the new definition of “Back-to-Back Street Townhouse Dwelling”:

“**BACK-TO-BACK BLOCK TOWNHOUSE**” means a townhouse served by a private driveway or aisle and having dwelling units that share common rear walls with other dwelling units, and shall not include a stacked townhouse or a back-to-back street townhouse building.”

- Amend the definition of Block Townhouse to add the text “and includes a Back-to-Back Block Townhouse, ” after the text “aisle, ”, and to add the text “or a Back-to-Back Street Townhouse Building” after the text “Street Townhouse Building”, such that the definition of Block Townhouse reads as follows:

“**BLOCK TOWNHOUSE**” means a townhouse served by a private driveway or aisle, and includes a Back-to-Back Block Townhouse, but does not include a Street Townhouse Building or a Back-to-Back Street Townhouse Building. For the purpose of this definition “Dwelling Unit” means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities.”

- Amend the definition of “Street Townhouse Building” to add the text “, but shall not include a Back-to-Back Street Townhouse Building” after the word “municipality”, such that the definition of “Street Townhouse Building” reads as follows:

“**STREET TOWNHOUSE BUILDING**” means a Townhouse with each Dwelling Unit having lot frontage and direct vehicular access to an improved street that is maintained by a municipality, but shall not include a Back-to-Back Street Townhouse Building. Notwithstanding any other provision of this By-law, for the purpose of this definition, “Improved Street” shall have the meaning defined in Section 2 of the Zoning By-law and not the meaning defined in Article 5.13.”

- Amend the definition of “Street Townhouse Dwelling” to include the text “, but shall not include a Back-to-Back Street Townhouse Dwelling” after the words “street townhouse building”, such that the definition of “Street Townhouse Dwelling” reads as follows:

“**STREET TOWNHOUSE DWELLING**” means one of the dwelling units originally constructed in a street townhouse building, but shall not include a Back-to-Back Street Townhouse Dwelling.”

- Amend the definition of “Apartment Building” to include the text “, back-to-back street townhouse buildings” after the words “block townhouses”, such that the definition of “Apartment Building” reads as follows:

“**APARTMENT BUILDING**” means a building or part of a building containing three or more dwelling units, including stacked townhouses, but does not include flats, block townhouses, back-to-back street townhouse buildings or street townhouse buildings. For the purpose of this definition “Dwelling Unit” means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities.”

- Amend part (c) of the definition of “Front Lot Line” to include the words “back-to-back street townhouse building or a” after the words “on which a”, and include the text “back-to-back street townhouse dwellings or the” after the words “main entrances to the”, such that part (c) of the definition of “Front Lot Line” reads as follows:

“(c) In the case of a corner lot or through lot on which a back-to-back street townhouse building or a street townhouse building is to be erected, the lot line that abuts the street opposite the main entrances to the back-to-back street townhouse dwellings or the street townhouse dwellings shall be deemed to be the front lot line.”

- Amend the definition of “Model Home” to include the text “, back-to-back street townhouse building” after the words “semi-detached dwelling” such that the definition of “Model Home” reads as follows:

“**MODEL HOME**” means a single detached dwelling, semi-detached dwelling, back-to-back street townhouse building, block townhouse building or street townhouse building constructed or to be constructed on lands in an approved draft plan of subdivision or in an approved draft plan of condominium or in relation to a common elements draft plan of condominium, with or without service connections, for the purpose of display and sale of dwelling units to be constructed on lots in the plan of subdivision or in the plan of condominium or in relation to a common elements draft plan of condominium.”

(b) Amend Section 3 of Zoning By-law 60-94 as follows:

- Amend Sentence 3.5.2(81) by amending the list of Permitted Interim Uses to remove item “(iii) Back-to-back townhouse” and renumber the remaining uses accordingly, such that the list of Permitted Interim Uses reads as follows:

- “(i) Adult secondary school
- “(ii) Apartment building
- “(iii) Block townhouse
- “(iv) Church
- “(v) Commercial school
- “(vi) Day care centre
- “(vii) Flat
- “(viii) Funeral home
- “(ix) Hotel
- “(x) Long Term Care Facility
- “(xi) Museum
- “(xii) Nursing home
- “(xiii) Private school
- “(xiv) Retirement home.”

(c) Amend Section 4 of Zoning By-law 60-94 as follows:

- Amend item (b) of Article 4.13.2 to include the text “one back-to-back street townhouse building,” after the words “may be issued for”, and include the text “back-

to-back street townhouse dwelling units,” after the words “of the total number of”, such that item (b) of Article 4.13.2 reads as follows:

“(b) A permit may be issued for one back-to-back street townhouse building, one block townhouse or one street townhouse building only, provided that the building does not contain more than eight (8) dwelling units and the number of dwelling units therein does not exceed ten percent (10%) rounded to the nearest whole number of the total number of back-to-back street townhouse dwelling units, block townhouses or street townhouse dwelling units in the plan of subdivision or in the plan of condominium or in relation to a common elements draft plan of condominium.”

- Amend Article 4.21.1 to include the text “back-to-back street townhouse building,” after the text “duplex,” such that Article 4.21.1 reads as follows:

“4.21.1 No person shall in a Residential Zone use a single detached dwelling, semi-detached dwelling, duplex, back-to-back street townhouse building, street townhouse building or bed and breakfast establishment upon any lot unless such lot has a driveway leading to a parking space in a side or rear yard or in a garage.”

(d) Amend Section 5 of Zoning By-law 60-94 as follows:

- Amend Article 5.15.4 to include the text “back-to-back street townhouse buildings,” after the text “block townhouses,” such that Article 5.15.4 reads as follows:

“5.15.4 A vehicle drive-through facility shall not be permitted on any lot which has a driveway onto a local road where such driveway is across from a lot zoned Residential that permits single detached dwellings, semi-detached dwellings, block townhouses, back-to-back street townhouse buildings, street townhouse buildings or duplexes.”

(e) Amend Section 9 of Zoning By-law 60-94 as follows:

- Amend Article 9.3.23 by deleting the text in Sentence 9.3.23(1) in its entirety and replacing it with the text “[Not in use]” such that it reads as follows:

“9.3.23(1) [Not in use]”

(f) Amend Section 11 of Zoning By-law 60-94 as follows:

- Amend Sentence 11.3.16(1) by deleting item (b) “back-to-back townhouse building and back-to-back townhouse dwelling” and renumbering item (c) as item (b) such that Sentence 11.3.16(1) reads as follows:

“11.3.16(1) Notwithstanding Subsection 11.1 to the contrary in any R6-B(6) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

- (a) Apartment Building
- (b) Block townhouse”.

- Amend Sentence 11.3.17(1) by deleting item (b) “back-to-back townhouse building and back-to-back townhouse dwelling” and renumbering item (c) as item (b) such that Sentence 11.3.17(1) reads as follows:

“11.3.17(1) Notwithstanding Subsection 11.1 to the contrary in any R6-B(7) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

- (a) Apartment Building
- (b) Block townhouse”.

- Amend Sentence 11.3.18(1) by deleting item (b) “back-to-back townhouse building and back-to-back townhouse dwelling” and renumbering the remaining items such that Sentence 11.3.18(1) reads as follows:

“11.3.18(1) Notwithstanding Subsection 11.1 to the contrary in any R6-C(8) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

- (a) Apartment Building
- (b) Block townhouse
- (c) Nursing Home
- (d) Retirement Home”.

- Amend Sentence 11.3.19(1) by deleting item (b) “back-to-back townhouse building and back-to-back townhouse dwelling” and renumbering item (c) as item (b) such that Sentence 11.3.19(1) reads as follows:

“11.3.19(1) Notwithstanding Subsection 11.1 to the contrary in any R6-B(8) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

- (a) Apartment Building
- (b) Block townhouse”

(g) Amend Section 17 of Zoning By-law 60-94 as follows:

- Amend Article 17.1.1 by deleting item (g) “Back-to-back townhouse” and renumbering the remaining items such that Article 17.1.1 reads as follows:

“17.1.1 No person shall within any PCC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

- (a) Adult secondary school
- (b) Animal hospital
- (c) Apartment building
- (d) Art gallery
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (h) Block townhouse
- (i) Brew your own operation
- (j) Church operation
- (k) Cinema

- (l) Club
- (m) Commercial recreation establishment
- (n) Commercial school
- (o) Craft Brewery
- (p) Day care centre
- (q) Financial institution
- (r) Flat
- (s) Funeral home
- (t) Hotel
- (u) Long Term Care Facility
- (v) Merchandise service shop
- (w) Museum
- (x) Nursing home
- (y) Office
- (z) Peddle
- (aa) Personal service establishment
- (bb) Printing establishment
- (cc) Private school
- (dd) Restaurant
- (ee) Retail store
- (ff) Retirement home
- (gg) Studio
- (hh) Tavern
- (ii) Theatre".

(h) Amend Section 38(B) of Zoning By-law 60-94 as follows:

- Amend Article 38(B).1.2 by adding the items "(b) Back-to-back street townhouse building with lot frontage on a local road" and "(c) Back-to-back street townhouse dwelling with lot frontage on a local road" after item (a) and renumbering all of the subsequent items such that Article 38(B).1.2 reads as follows:

"38(B).1.2 The following uses are permitted in any MU-A Zone:

- (a) Apartment building
- (b) Back-to-back street townhouse building with lot frontage on a local road
- (c) Back-to-back street townhouse dwelling with lot frontage on a local road
- (d) Block townhouse
- (e) Day care centre
- (f) Flat
- (g) Long Term Care Facility
- (h) Nursing home
- (i) Office
- (j) Private school
- (k) Retirement home
- (l) Street townhouse building with lot frontage on a local road
- (m) Street townhouse dwelling with lot frontage on a local road"

- Amend Article 38(B).1.3 by adding the items “(d) Back-to-back street townhouse building with lot frontage on a local road or collector road” and “(e) Back-to-back street townhouse dwelling with lot frontage on a local road or collector road” after item (c) and renumbering all of the subsequent items such that Article 38(B).1.2 reads as follows:

“38(B).1.2 The following uses are permitted in any MU-A Zone:

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

- Amend Article 38(B).2.10 by adding the text “back-to-back street townhouse building, back-to-back street townhouse dwelling,” after the text “For any”, such that Article 38(B).2.10 reads as follows:

“38(B).2.10 For any back-to-back street townhouse building, back-to-back street townhouse dwelling, street townhouse building or street townhouse dwelling permitted in any MU-A or MU-B Zone, the regulations in Table 8.2 and the relevant provisions applicable to the R3-A Zone shall apply to such uses.”

- Amend Sentence 38(B).3.4(2) by adding the text “back-to-back street townhouses,” after the text “to the contrary,”, such that Sentence 38(B).3.4(2) reads as follows:

“38(B).3.4(2) Notwithstanding the provisions of Article 38(B).1.2 to the contrary, back-to-back street townhouses, block townhouses and street townhouses are not permitted in any MU-A(2) Zone.”

- Amend Sentence 38(B).3.6(1) by adding the text “back-to-back street townhouse buildings, back-to-back street townhouse dwellings,” after the text “to the contrary,”, such that Sentence 38(B).3.6(1) reads as follows:

“38(B).3.6(1) Notwithstanding Article 38(B).1.2 to the contrary, back-to-back street townhouse buildings, back-to-back street townhouse dwellings, street townhouse buildings and street townhouse dwellings are not permitted in any MU-A(3) Zone.”

- Amend Sentence 38(B).3.7(1) by adding the text “back-to-back street townhouse buildings, back-to-back street townhouse dwellings,” after the text “to the contrary,”, such that Sentence 38(B).3.7(1) reads as follows:

“38(B).3.7(1) Notwithstanding Article 38(B).1.2 to the contrary, back-to-back street townhouse buildings, back-to-back street townhouse dwellings, street townhouse buildings and street townhouse dwellings are not permitted in any MU-A(4) Zone.”

- Amend Sentence 38(B).3.12(1) by adding the text “back-to-back street townhouse buildings, back-to-back street townhouse dwellings,” after the words “in any MU-B(5) Zone”, such that Sentence 38(B).3.12(1) reads as follows:

“38(B).3.12(1) Notwithstanding the provisions of Subsection 38(B).1 of this By-law to the contrary, in any MU-B(5) Zone back-to-back street townhouse buildings, back-to-back street townhouse dwellings, street townhouse buildings and street townhouse dwellings are not permitted.”

(i) Amend Section 39 of Zoning By-law 60-94 as follows:

- Amend the row in Table 39.3B pertaining to parking requirements for street townhouse dwellings by adding under the first column the text “, including back-to-

back street townhouse dwelling” after the text “Street townhouse dwelling”, such that the revised row in Table 39.3B reads as follows:

| | | | |
|---|---------------------|---------------------|---------------------|
| Street townhouse dwelling, including Back-to-back street townhouse dwelling | 2 per dwelling unit | 2 per dwelling unit | 2 per dwelling unit |
|---|---------------------|---------------------|---------------------|

- Amend Article 39.4.2 by adding the text “a back-to-back street townhouse dwelling,” after the text “a semi-detached building,” such that Article 39.4.2 reads as follows:

“39.4.2 Notwithstanding Article 39.4.1 to the contrary, the minimum parking space width shall be 2.75m and the minimum parking space length shall be 5.75m for a single detached dwelling, a semi-detached dwelling, a semi-detached building, a back-to-back street townhouse dwelling, a street townhouse dwelling or a bed and breakfast establishment.”

- Amend Article 39.4.3 by adding the text “a back-to-back street townhouse dwelling,” after the text “a semi-detached building,” such that Article 39.4.3 reads as follows:

“39.4.3 Notwithstanding Article 39.4.1 to the contrary, no aisle need be provided in conjunction with a parking space for a single detached dwelling, a semi-detached dwelling, a semi-detached building, a back-to-back street townhouse dwelling, a street townhouse dwelling, any type of group home or a bed and breakfast establishment; parking for such uses may be tandem parking spaces.”

- Amend Article 39.4.6 by adding the text “a back-to-back street townhouse dwelling,” after the text “a semi-detached building,” such that Article 39.4.6 reads as follows:

“39.4.6 Notwithstanding Article 39.4.1 to the contrary, the minimum parking space width shall be 3.0m where the side of any parking space is located adjacent to a solid wall, fence or like structure that is supplied in conjunction with any use other than a single detached dwelling, semi-detached dwelling, semi-detached building, back-to-back street townhouse dwelling, street townhouse dwelling or in a private garage serving an individual dwelling in a block townhouse.”

- Amend Article 39.9.1 by adding the text “a back-to-back street townhouse dwelling,” after the text “a duplex,” such that Article 39.9.1 reads as follows:

“39.9.1 A driveway shall have a minimum width of 3.0m provided, however, for a single detached dwelling, a semi-detached dwelling, a semi-detached building, a duplex, a back-to-back street townhouse dwelling, or a street townhouse dwelling, the minimum width of a driveway shall be 2.75m.”

3. Zoning By-law Sections 2, 3, 4, 7, 16, 17, 17, 18, 24, 27, 38(A) and 39

Issue:

The definition of “Church” in Zoning By-law 60-94 currently reads as follows:

“**CHURCH**” means a building or part of a building owned or occupied by a religious congregation or religious organization and dedicated to worship and related religious, social or charitable activities, and may include an assembly hall, convent, monastery, office of a clergyman, day care centre or a rectory or parsonage, as accessory uses.”

The definition of church includes places of worship for all faiths. However, the term “Church” is outdated when referring to places of worship as it is not reflective of the diversity of religious institutions.

Updating the terminology to “Place of Worship” will ensure inclusivity.

Proposed Amendment:

(a) Amend Section 2 of Zoning By-law 60-94 as follows:

- Delete the definition of “Church”.
- Add the following new definition for “Place of Worship” following the definition of “Place of Amusement” and before the definition of “Post-Secondary School”:

“**PLACE OF WORSHIP**” means a building or part of a building owned or occupied by a religious congregation or religious organization and dedicated to worship and related religious, social or charitable activities, and may include an assembly hall, convent, monastery, office of a clergyman, day care centre or a rectory or parsonage, as accessory uses.”

(b) Amend the following Sections and Subsections of Zoning By-law 60-94 where the term “Church” is used and replace it with “Place of Worship”:

- Section 2: Definitions
- Section 3: Zones and Zone Symbols
- Subsection 4.7: Height Exemption
- Section 7: R2 Residential Zones
- Section 16: UGC – Urban Growth Centre Zones
- Section 17: PCC – Planned Commercial Centre Zones
- Section 18: PSC – Planned Strip Commercial Zones
- Section 24: CIN – Community Institutional Zones
- Section 27: PI – Prestige Industrial Zones
- Section 38(A): SW – Special Waterfront Zones
- Subsection 39.3: Number of Parking Spaces Required

4. Zoning By-law Section 2: Definitions

Issue:

The City of Oshawa permits residents to operate certain types of businesses in their residence provided all applicable provisions of the Zoning By-law are met. This type of business is considered a home occupation, defined as follows:

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

Subsection 5.3 of the Zoning By-law contains regulations for home occupations.

Prior to 2020, the definition of home occupation explicitly prohibited food preparation. In 2020, the City amended the definition to remove food preparation as a prohibited use. This change was advanced in order to allow commercial food preparation to take place in homes subject to certain requirements, including provisions stipulating that employees must live at the residence where the home occupation occurs and that the maximum gross floor area devoted to the home occupation cannot exceed 25% of the overall floor area of the dwelling unit, up to 28 square metres (301.4 sq. ft.).

Notwithstanding the foregoing, restaurants continue to be prohibited. Restaurants are defined as follows:

“**RESTAURANT**” means a building or part of a building where food and beverages are prepared and offered for retail sale to the public for immediate consumption on or off the premises, including a licensed dining lounge, and also includes a food catering business, but excluding a tavern or nightclub.”

The definition of restaurant includes a food catering business which creates confusion and conflicts with the intent of the 2020 amendment.

It is recommended that the definition of “Home Occupation” be amended to permit food catering and food preparation. In the event this amendment is approved, it would allow businesses such as home-based bakeries and catering businesses to operate. These operators would still be required to obtain the necessary approvals from the Durham Region Health Department and comply with the regulations in Subsection 5.3 of the Zoning By-law. These approvals would address such matters as compliance with food safety requirements, information on the type of equipment to be used for food preparation and dish washing, water supply, sewage disposal, pest control and garbage storage, and ensure that the exterior appearance of the dwelling unit remains residential in character and the principal use of the dwelling unit remains residential. Any necessary building permit requirements would address matters related to fire safety. Any potential traffic and parking issues would be addressed by Municipal Law Enforcement and Licensing Services on a complaint basis in the same manner as complaints related to other types of home occupations.

Proposed Amendment:

- (a) Amend Section 2 of Zoning By-law 60-94 by amending the definition of “Home Occupation” to add the text “(not including food catering and food preparation)” after the word “restaurant” such that the definition reads as follows:

“**HOME OCCUPATION**” means an occupation or business conducted for gain or profit within a dwelling unit by any resident of that dwelling unit, excluding the following occupations or businesses: kennels or other animal services, automobile repair garage or automobile body shop or paint shop, medical offices with the exception of massage therapy, restaurants (not including food catering and food preparation), taxi services, bed and breakfast establishments and newspaper or catalogue distribution centres.”

5. Zoning By-law Section 2: Definitions and Subsection 5.12: Accessory Apartments

Issue:

As part of the City’s annual City-initiated amendments to Zoning By-law 60-94 in 2023, the City passed a zoning by-law amendment to update the zoning regulations for accessory apartments to implement the permissions and regulations in a manner appropriate for the Oshawa context, addressing such matters as parking requirements and size and setbacks of accessory buildings containing accessory apartments.

When Article 5.12.5 was originally added to the Zoning By-law in 2023, it required any accessory apartment located within a single detached dwelling, semi-detached dwelling or street townhouse dwelling to have at least seventy-five percent (75%) of its floor area located wholly above or below another dwelling unit on the lot within the main building. The City-initiated amendments to Zoning By-law 60-94 in 2024 amended the same article to reduce the percentage to fifty percent (50%) to be consistent with the definition for duplex contained in the Zoning By-law 60-94.

The provision was originally included to assist in steering the form of accessory apartments within existing dwellings. However, in order to provide more flexibility in the design of single detached dwellings, semi-detached buildings/dwellings and street townhouses with accessory apartments, it is recommended to remove this provision and amend the definitions of semi-detached dwelling and semi-detached building.

Proposed Amendment:

- (a) Delete Article 5.12.5 and replace it with a new Article 5.12.5 that reads as follows:

“5.12.5 An accessory apartment shall be located on the same lot as the main dwelling unit and the severance of an accessory apartment from the main dwelling unit is prohibited.”

- (b) Amend the definition of “Semi-detached Building” to add to the end of the definition the text “Notwithstanding the foregoing, a single detached dwelling with an accessory apartment that has the characteristics outlined in (a), (b) and (c) above shall not be

considered a semi-detached building.” such that the definition of Semi-detached Building reads as follows:

“**SEMI-DETACHED BUILDING**” means a building containing two dwelling units, other than a duplex, with the following characteristics:

- (a) The two dwelling units are attached vertically above and below grade by a common wall at least 6.0m in length and at least one storey, in addition to any basement, in height;
- (b) Each of the two dwelling units has an independent entrance from the exterior; and
- (c) Each of the two dwelling units directly faces the streetline.

Notwithstanding the foregoing, a single detached dwelling with an accessory apartment that has the characteristics outlined in (a), (b) and (c) above shall not be considered a semi-detached building.”

- (c) Amend the definition of “Semi-detached Dwelling” to add the word “main” after the word “two” and before the word “dwelling” so that the definition of Semi-detached Dwelling reads as follows:

“**SEMI-DETACHED DWELLING**” means one of the two main dwelling units constructed in a semi-detached building.”

6. Zoning By-law Section 2: Definitions, Subsection 3.7: Multiple Zones, Section 10: R5 Residential Zones, Section 16: UGC – Urban Growth Centre Zone, Section 18: PSC – Planned Strip Commercial Zones and Section 19: SPC – Special Purpose Commercial Zones

Issue:

When Zoning By-law 60-94 was first passed in 1994, the definition of “storey” read as follows:

“**STOREY**” means a part of a building which is not a half-storey and which is situated between any floor level and the floor, ceiling or roof next above it and shall include a basement but shall not include a cellar or attic.”

This definition of “storey” stipulated that a basement was a storey. Accordingly, the entire Zoning By-law treated a basement as a storey. However, when describing storeys relative to the ground level, the Zoning By-law would have to state in each instance of the use of the term “storey” or “floor” whether the basement was being treated as a storey, since colloquially basements are not considered a storey.

Furthermore, Table 16.2 (as it existed at that time), which outlined regulations for the CBD (Central Business District) Zones in the original Zoning By-law 60-94, prohibited dwelling units in basements in the CBD-A Zone (but not in the CBD-B Zone or other commercial zones in the City).

In 2012, City Council adopted By-law 45-2012, being a City-initiated amendment to Zoning By-law 60-94. One of the amendments was to change the definition of “storey” to specify that a basement was not a storey. Since that time to present, the definition of “storey” reads as follows:

“**STOREY**” means a part of a building which is not a half-storey and which is situated between any floor level and the floor, ceiling or roof next above it but shall not include a basement, cellar or attic.”

However, other sections of the Zoning By-law were not amended to reflect this change.

The current Table 16.2 in Subsection 16.2 outlines regulations for the UGC (Urban Growth Centre) Zones [and previously its predecessor CBD (Central Business District) Zones]. The language in Table 16.2 continues to prohibit dwelling units in basements in the UGC-A (Urban Growth Centre) Zone. However, there is no clear reason to prohibit dwelling units in basements in the UGC-A (Urban Growth Centre) Zone.

It is appropriate to amend various sections of Zoning By-law 60-94 to remove references to excluding the basement as a storey given that the definition of “storey” itself provides the necessary clarity. Further, it is appropriate to amend Table 16.2 to permit dwelling units in basements in the UGC-A (Urban Growth Centre) Zone to allow greater opportunities for additional dwelling units in downtown Oshawa.

Proposed Amendment:

(a) Amend Table 16.2 of Zoning By-law 60-94 as follows:

- In the column under the heading “UGC-A” corresponding to the row relating to “Location of dwelling units”, delete the text “, excluding basements”, and after the words “Restricted to” add the words “a basement or to” such that the provision reads as follows:

“Restricted to a basement or to the 2nd storey or higher. Notwithstanding the foregoing, it may be permitted on the first floor if located behind the non-residential uses located at the front of the building adjacent to the street line.”

- In the column under the heading “UGC-B” corresponding to the row relating to “Maximum gross floor area of retail store floor space”, delete the text “excluding basements,” after the words “first storey” such that the provision reads as follows:

“25% of the gross floor area of the first storey or 90m² whichever is greater”.

(b) Amend the definition of “Flat” in Section 2 of Zoning By-law 60-94 by deleting the text ““storey” refers to storeys other than basements and” in the second paragraph of the definition, such that it reads as follows:

“For the purposes of this definition, the “first floor” is the floor, other than a basement, closest to the ground level.”

- (c) Amend Article 3.7.3 of Zoning By-law 60-94 by deleting the text “, excluding basements,” after the text “of that portion of the first storey” such that it reads as follows:

“3.7.3 Notwithstanding Article 3.7.2, any building erected or to be erected on a lot, which is divided into separate UGC-A and UGC-B zones, and which building will be partially located in each zone, shall be subject to the regulations set out in Table 16.2 for UGC-A zones, except that not more than twenty-five percent (25%) of the gross floor area or 90m² of that portion of the first storey of the building located in the UGC-B Zone shall be designated or used as retail store floor space.”

- (d) Amend item (b) of Sentence 10.3.12(6) of Zoning By-law 60-94 by deleting the text “, exclusive of any basement,” after the text “The number of storeys” such that Sentence 10.3.12(6) reads as follows:

“10.3.12(6) Notwithstanding Subsection 10.2 to the contrary, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, for any retirement home:

(a) The maximum height shall not exceed 15.0m inclusive of all storeys and parapet walls; and

(b) The number of storeys shall not exceed four (4).”

- (e) Amend Article 16.4.4 of Zoning By-law 60-94 by deleting the text “, excluding basements,” after the text “second storey” such that it reads as follows:

“16.4.4 Notwithstanding any other provision of this By-law to the contrary, dwelling units, lodging houses and bedrooms shall be restricted to the second storey or higher in the hatched area shown on Schedule “G” to this By-law. Notwithstanding the foregoing, dwelling units, lodging houses and bedrooms may be permitted on the first floor if located behind the non-residential uses located at the front of the building adjacent to the street line.”

- (f) Amend item (g) of Sentence 18.3.8(6) of Zoning By-law 60-94 by deleting the text “excluding any basement” after the text “The maximum height of any buiding shall be one storey” such that it reads as follows:

“(g) The maximum height of any building shall be one storey.”

- (g) Amend Sentence 19.3.12(8) of Zoning By-law 60-94 by deleting the text “plus a basement” after the text “shall not exceed 5 storeys in height above grade” such that it reads as follows:

“19.3.12.(8) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(2) Zone the maximum height of any professional office building shall be 25m and shall not exceed 5 storeys in height above grade.”

7. Zoning By-law Subsection 4.10: Parking Locations

Issue:

The current regulations in Table 4.10 under Article 4.10.1 of the Zoning By-law require that no part of any parking area be located closer than 3.0 metres to any street line. However, block townhouse developments may feature units having individual driveways serving each unit, some of which may lead directly from a public road rather than the internal private road. This can result in a parking space being located less than 3.0 metres to a street line.

Given that this regulation does not account for the possibility that individual driveways for block townhouse units may be accessed directly from a local road in a manner that provides for adequate access without impeding traffic or safety, it is appropriate to introduce an amendment to provide clarity in this regard and to allow design flexibility for these types of developments while maintaining safety and functionality.

Proposed Amendment:

- (a) Amend Table 4.10 item (d) under the column heading “Yard in Which Parking Permitted” by adding the following new sentence after the existing text:

“Notwithstanding the foregoing, parking spaces provided on individual driveways in front of private garages serving block townhouse units or back-to-back block townhouse units may be located less than 3.0 metres to a street line, provided that the driveway is directly accessed from a local road.”

8. Zoning By-law Subsection 4.10: Parking Locations

Issue:

The current regulations do not account for parking locations specifically for back-to-back street townhouses. As the parking provisions for other types of residential dwellings (e.g., single detached, semi-detached, duplex, and street townhouses) allow parking in side yards, rear yards, and on driveways in the front yard, it is necessary to update the regulations to clarify that back-to-back street townhouses are also permitted to use these parking locations, as may be applicable. This distinction allows for parking in the side yards and driveways on the front yard where this building type has access to a local road (given that back-to-back townhouses effectively have no rear yard, rear yard parking is not an applicable option for this housing type). This change will ensure consistency across residential zoning and provide clear guidance for parking in back-to-back street townhouse developments.

Proposed Amendment:

(a) Amend Table 4.10 item (c) under the column heading “Class/Zone/Use” to add the text “, back-to-back street townhouse” after the text “street townhouse” such that the provision reads as follows:

“(c) Residential – single detached dwelling, semi-detached dwelling, duplex, street townhouse, back-to-back street townhouse”.

(b) Amend Table 4.10 item (c) under the column heading “Yard in Which Parking Permitted” to add the text “(as may be applicable)” after the words “rear yard” such that the provision reads as follows:

“Any side yard or rear yard (as may be applicable) and on driveways in the front yard”.

9. Zoning By-law Subsection 4.18: Commercial Vehicles in Residential Zones

Issue:

The size of personal vehicles used for commercial purposes, including vans and trucks, has generally increased since the below-noted provisions in the Zoning By-law were first introduced in the 1990s.

The relevant provisions for Commercial Vehicles in Residential Zones are currently as follows:

“4.18.1 No person shall in any Residential Zone park or store any commercial vehicle which:

- (a) Is in excess of three thousand (3,000) kilograms vehicle weight; or
- (b) Has a length greater than 6.0m; or
- (c) Has a height greater than 2.6m.

This subsection shall not prevent the standing of any such vehicle for the purpose of, and while actively engaged in, loading or unloading merchandise or passengers. This subsection shall not prevent the parking in a Residential Zone of an ambulance, or a tow truck which is actively engaged in the business of providing towing services on public highways.

4.18.2 Notwithstanding Article 4.18.1, no person shall in any Residential Zone use any lot, building or structure for the parking or storage of more than one commercial vehicle, or the parking of more than one ambulance, or the parking of more than one tow truck.”

The Zoning By-law has the following definition for a Commercial Vehicle:

““**COMMERCIAL VEHICLE**” means any vehicle licensed or used for commercial purposes and, without limiting the generality of the foregoing, shall include a tractor trailer and a dump truck.”

The existing weight and dimension limits no longer reflect modern vehicle standards or align with the regulations in neighboring municipalities. To ensure the by-law remains relevant and practical, staff have reviewed vehicle size and weight thresholds, as well as best practices from surrounding jurisdictions, to determine appropriate updates to the regulation. Staff recommend increasing the maximum vehicle weight to 4,600 kilograms. This is the Manufacturer's Gross Vehicle Weight Rating at which any combination of truck/tractor and trailer requires a Class A driver's licence to drive or drive and tow. Further, many pick-up trucks, which would be permitted as personal vehicles, exceed the existing provisions of the Zoning By-law in terms of their length and weight for a commercial vehicle to be parked or stored in a Residential Zone.

Proposed Amendment:

- (a) Amend item (a) in Article 4.18.1 of Zoning By-law 60-94 by deleting the text "three thousand (3,000) kilograms" and replacing it with the text "four thousand six hundred (4,600) kilograms" such that the provision reads as follows:

"(a) Is in excess of four thousand six hundred (4,600) kilograms vehicle weight;"

- (b) Amend item (b) in Article 4.18.1 of Zoning By-law 60-94 by deleting the text "6.0m" and replacing it with the text "7.0m" such that the provision reads as follows:

"(b) Has a length greater than 7.0m; or"

- (c) Amend Article 4.18.2 of Zoning By-law 60-94 by deleting the current provision in its entirety and replacing it with the following:

"4.18.2 Notwithstanding Article 4.18.1, no person shall use any lot, building, or structure in a Residential Zone for the parking or storage of more than one commercial vehicle that complies with the size limits outlined in Article 4.18.1. Any commercial vehicle that exceeds these size limits is prohibited in a Residential Zone, except for temporary loading or unloading purposes."

10. Zoning By-law Subsection 4.20: Storage or Parking of Recreational Vehicles, Boats, Trailers and Snowmobiles

Issue:

The Zoning By-law regulates the storage and parking of recreational vehicles on residential properties. The Zoning By-law includes the following definition for Recreation Vehicle:

“**RECREATIONAL VEHICLE**” means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes and other similar vehicles, which provide sleeping and other facilities for persons while travelling or vacationing.”

Article 4.20.1 of the Zoning By-law stipulates that recreational vehicles (R.V.s) are not permitted to be parked or stored in front yards or exterior side yards or in portions of rear yards of corner lots abutting the street unless they are less than 6.0 metres (19.7 ft.) long and 2.6 metres (8.5 ft.) tall. If an R.V. has dimensions less than these, then they can be parked or stored in these yards. However, Article 4.20.2 goes on to further stipulate that, notwithstanding Article 4.20.1, boats, snowmobiles or any type of camper or trailer which is designed to be towed behind a motor vehicle (which may be considered R.V.s) are not permitted in these yards.

The wording of these articles could be confusing for the average person who has a certain type or size of R.V. and wants to park or store it on the driveway in their front yard. The reader may not refer to subsequent articles under Subsection 4.20 after reading Article 4.20.1. To ensure that these articles are read holistically, it is recommended that Article 4.20.1 include text that refers the reader to these subsequent articles.

Furthermore, property owners are subject to ticketing by the City for the short-term parking or storing of these types of vehicles on their property during times when they are transitioning the R.V. from their off-site storage location to their summer location or vice versa (e.g. cleaning, packing, repairing, etc.). This can be frustrating for residents who do not intend to store the vehicle for the long term but are subject to regular ticketing.

Proposed Amendment:

- (a) Amend Article 4.20.1 of Zoning By-law 60-94 by deleting the word “No” at the beginning of the article and replacing it with the text “Subject to Articles 4.20.2, 4.20.3 and 4.20.4, no” so that Article 4.20.1 reads as follows:

“4.20.1 Subject to Articles 4.20.2, 4.20.3 and 4.20.4, no person shall in any Residential Zone park or store a recreational vehicle greater than 6.0m in length or greater than 2.6m in height in any part of a front yard or exterior side yard, nor in that portion of any rear yard of a corner lot which abuts an improved street or 0.3m reserve for that distance from the street which is equal to or less than the depth of the exterior side yard.”

- (b) Amend Article 4.20.2 of Zoning By-law 60-94 by deleting the word “camper” and replacing it with the words “recreational vehicle” so that Article 4.20.2 reads as follows:

“4.20.2 Notwithstanding Article 4.20.1 to the contrary, no person shall in any Residential Zone park or store a boat, snowmobile or any type of recreational vehicle or trailer which is designed to be towed behind a motor vehicle in any part of a front yard or exterior side yard, nor in that portion of any rear yard of a corner lot which abuts an improved street or 0.3m reserve for that distance from the street which is equal to or less than the depth of the exterior side yard.”

- (c) Amend Subsection 4.20 of Zoning By-law 60-94 by adding a new Article 4.20.4 that reads as follows:

“4.20.4 Notwithstanding Articles 4.20.1, 4.20.2 and 4.20.3 to the contrary, a recreational vehicle that does not comply with the aforementioned articles

may be stored or parked in any Residential Zone on a driveway on a lot for a period that is equal to or less than nine (9) consecutive days and not exceeding a combined total of twenty (20) days in a calendar year.”

11. Zoning By-law Subsection 5.12: Accessory Apartments

Issue:

On February 19, 2025, a City-initiated zoning amendment came into effect permitting accessory apartments within accessory buildings within certain zones, including on properties zoned OSR-A (Rural Open Space), OS-ORM (Oak Ridges Moraine Open Space), AG-A (Agricultural), AG-B (Agricultural) or AG-ORM (Oak Ridges Moraine Agricultural). These changes were introduced to align with updates to the Provincial Planning Statement, 2024 (the “P.P.S.”), which, as of October 20, 2024, permits accessory apartments in accessory buildings including on properties without municipal water and sewer services, provided there are sufficient well and septic services.

As part of this previous amendment, accessory apartments in accessory buildings were restricted to a maximum size of 60 square metres and required to be located no more than 15 metres from the main dwelling. However, this does not account for existing accessory buildings that may have been constructed before the amendment’s adoption. To address this, staff recommend implementing an additional amendment to permit existing accessory apartments within accessory buildings having a floor area of up to 70 square metres, provided they were existing as of February 19, 2025, and to allow them to remain in their in situ location as of that date.

The previous amendment’s size and distance restrictions were intended to minimize environmental impacts, particularly on rural properties with natural heritage features. However, if an accessory apartment already exists within an accessory building, is up to 70 square metres (750 sq. ft.) in terms of ground floor area [which is 10 square metres larger than the original proposed maximum 60 square metres (645 sq. ft.) of ground floor area], and the area affected by its construction has already been disturbed, requiring its redesign, relocation and/or removal would be unnecessary and onerous.

In view of the foregoing, it is appropriate to update the Zoning By-law to ensure that any accessory apartments within accessory buildings existing as of February 19, 2025 that fall outside the current regulations are afforded the ability to continue to exist in situ, provided they do not exceed a ground floor area of 70 square metres (so as not to noticeably exceed the size of the main residential dwelling, should the main dwelling itself be relatively small).

Proposed Amendments:

- (a) Amend paragraph (a) of Article 5.12.1 by adding the following as a new second sentence in the paragraph:

“Notwithstanding the foregoing or any regulation under Article 5.1.2 to the contrary, the maximum floor area of an accessory apartment that was in existence as of February 19, 2025 in an accessory building in an OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone shall be 70m².”

(b) Amend paragraph (l) of Article 5.12.1 by adding the following sentence at the end of the paragraph:

“Notwithstanding the foregoing, in any OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone, an accessory building containing an accessory apartment that was in existence as of February 19, 2025 shall be permitted in its in situ location as of that date.”

12. Zoning By-law Section 8: R3 Residential Zones

Issue:

The R3-A Zone permits Street Townhouses. The R3-B Zone permits Back-to-Back Townhouses.

It is proposed that Section 8 be updated so that it is clear the R3-B Zone applies to Back-to-Back Street Townhouses and not Back-to-Back Block Townhouses.

Proposed Amendments:

(a) Amend Article 8.1.3 of Zoning By-law 60-94 to change the permitted uses in the R3-B (Residential) Zone from:

- “(a) Back-to-back townhouse building” and,
- “(b) Back-to-back townhouse dwelling”

to:

- “(a) Back-to-back street townhouse building” and,
- “(b) Back-to-back street townhouse dwelling”

13. Zoning By-law Section 16: UGC – Urban Growth Centre Zones

Issue:

The UGC-A and UGC-B (Urban Growth Centre) Zones permit a wide range of residential and non-residential uses, but these can be restricted by other provisions of Section 16. Specifically, Subsection 16.4 notes that certain uses shall not be permitted within the hatched area on Schedule “G” (Main Pedestrian and Shopping Streets in the Downtown Oshawa Urban Growth Centre) or the hatched area on Schedule “I” (Urban Growth Centre). To ensure clarity for readers that certain uses are not permitted within areas shown on Schedules “G” or “I” despite being listed as permitted uses in the respective zones, staff recommend including a note to this effect next to the affected uses listed in Subsection 16.1. Such a note will draw people’s attention to this provision affecting certain areas shown in Schedules “G” or “I” at the end of the Zoning By-law document. The recommended amendment does not change any existing regulations and is only intended to ensure clarity and provide assistance when navigating applicable regulations within the UGC (Urban Growth Centre) Zones.

Proposed Amendment:

- (a) Amend Article 16.1.1 of Zoning By-law 60-94 by adding the text “(subject to Subsection 16.4)” after “Apartment hotel”, “Automobile repair garage”, “Crisis care residence”, “Parking garage or parking lot”, “Personal service establishment”, and “Retail store”, such that Article 16.1.1 reads as follows:

“16.1.1 No person shall within any UGC-A or UGC-B Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

- (a) Animal hospital
- (b) Apartment building
- (c) Apartment hotel (subject to Subsection 16.4)
- (d) Art gallery
- (e) Automobile rental establishment
- (f) Automobile repair garage (subject to Subsection 16.4)
- (g) Bus depot
- (h) Cinema
- (i) Club
- (j) Commercial recreation establishment
- (k) Convention centre
- (l) Craft Brewery
- (m) Crisis care residence (subject to Subsection 16.4)
- (n) Cultural centre
- (o) Day care centre
- (p) Financial institution, excluding a payday loan establishment
- (q) Flat
- (r) Funeral home
- (s) Hospital
- (t) Hotel
- (u) Lodging house
- (v) Long Term Care Facility
- (w) Merchandise service shop
- (x) Museum
- (y) Nursing home
- (z) Office
- (aa) Parking garage or parking lot (subject to Subsection 16.4)
- (bb) Personal service establishment (subject to Subsection 16.4)
- (cc) Place of amusement
- (dd) Place of worship
- (ee) Printing establishment
- (ff) Restaurant
- (gg) Retail store (subject to Subsection 16.4)
- (hh) Retirement home
- (ii) School
- (jj) Studio
- (kk) Tavern
- (ll) Television or radio broadcasting station or studio

(mm) Theatre”.

14. Zoning By-law Section 16: UGC – Urban Growth Centre Zones; Section 17: PCC – Planned Commercial Centre Zones; Section 18: PSC – Planned Strip Commercial Zones; Section 19: SPC – Special Purpose Commercial Zones; Section 38(A): SW – Special Waterfront Zones; and, Section 38(B): MU – Mixed Use Zones

Issue:

Zoning By-law 60-94 defines “Place of Amusement” and “Amusement Machine” as follows:

“**PLACE OF AMUSEMENT**” means a building or part of a building within which three or more amusement machines are available to the public.

“**AMUSEMENT MACHINE**” means any mechanical or electronic machine or device intended for use as a game or source of entertainment or amusement offered for use by the public or by any person and shall include a pinball machine, television game, shooting gallery or other similar machine or device including an automatic machine or slot machine that dispenses as prizes one or more free games, but shall not include any machine used only for the purpose of vending merchandise or services or playing recorded music or any billiard, pool or bagatelle table or any machine that would render the premises a common gaming house within the meaning of The Criminal Code of Canada.”

Places of amusement are only permitted in two circumstances:

(1) As an accessory use to a commercial recreation establishment, cinema, hotel, restaurant or tavern with up to 15 amusement machines or 20% of the gross floor area of that main use; or,

(2) As a main use only at the following locations:

- 22 Bond Street West which is zoned UGC-A(1) (Urban Growth Centre);
- 419-507 King Street West (Oshawa Centre) which is zoned PCC-A(1) (Planned Commercial Centre);
- 285 Taunton Road East (southeast corner of Taunton Road East and Ritson Road North) which is zoned PCC-B(1) (Planned Commercial Centre);
- 600 King Street East which is zoned PCC-C(1) (Planned Commercial Centre);
- 199 Wentworth Street West which is zoned PCC-C(1) (Planned Commercial Centre);
- 1300 Wilson Road North (NEBs Fun World) which is zoned SPC-A(1) (Special Purpose Commercial);
- 1401 Phillip Murray Avenue which is zoned SI-B(2) (Select Industrial);

- 620 Taunton Road West which is zoned SI-A(19) (Select Industrial);
- Colonel Sam Drive east of the Second Marsh which is zoned PI-A(1) (Prestige Industrial); and,
- 155 First Avenue which is zoned GI(1) (General Industrial).

These limited circumstances were imposed in Oshawa when traditional arcades were primarily for youth and were considered undesirable as a standalone use.

The increase in demand amongst adults and technological development within the commercial entertainment sector has created a variety of business opportunities such as gaming lounges, video game cafes (e.g. 8-Bit Beans in Whitby), family arcades (e.g. Playdium) and combined dining and gaming (e.g. Dave and Busters), and can range in size and scale. However, the City's Zoning By-law limits where these types of uses may be located to the short list of sites noted above.

Where these uses meet the current definition of "Place of Amusement", staff are of the opinion that these establishments should be broadly permitted in commercial areas in order to support economic development and local business opportunities.

The proposed amendment would not change the maximum permitted floor area devoted to a place of amusement or the number of machines as permitted under if not expressly permitted as an unrestricted use in that zone.

It is recommended that a "Place of Amusement" be a permitted use in the following zones:

- UGC-A and UGC-B (Urban Growth Centre);
- PCC (Planned Commercial Centre);
- PSC-A and (new) PSC-C (Planned Strip Commercial);
- SPC-A (Special Purpose Commercial);
- SW (Special Waterfront); and,
- MU-B and MU-C (Mixed Use).

Proposed Amendment:

- (a) Amend Article 16.1.1 of Zoning By-law 60-94 by adding a new Item 16.1.1(cc) which reads "(cc) Place of amusement", after Item 16.1.1(bb), and renumbering the remainder of the items in Article 16.1.1 accordingly.
- (b) Amend Article 17.1.1 of Zoning By-law 60-94 by adding a new Item 17.1.1(aa) which reads "(aa) Place of amusement", after Item 17.1.1(z), and renumbering the remainder of the items in Article 17.1.1 accordingly.
- (c) Amend Article 18.1.1 of Zoning By-law 60-94 by adding a new Item 18.1.1(dd) which reads "(dd) Place of amusement", after Item 18.1.1(cc), and renumbering the remainder of the items in Article 18.1.1 accordingly.

- (d) Amend Article 19.1.2 of Zoning By-law 60-94 by adding a new Item 19.1.2(cc) which reads “(cc) Place of amusement”, after Item 19.1.2(bb), and renumbering the remainder of the items in Article 19.1.2 accordingly.
- (e) Amend Article 38(A).1.1 of Zoning By-law 60-94 by adding a new Item 38(A).1.1(u) which reads “(u) Place of amusement”, after Item 38(A).1.1(t), and renumbering the remainder of the items in Article 38(A).1.1 accordingly.
- (f) Amend Article 38(B).1.3 of Zoning By-law 60-94 by adding a new Item 38(B).1.3(q) which reads “(q) Place of amusement”, after Item 38(B).1.3(p), and renumbering the remainder of the items in Article 38(B).1.3 accordingly.
- (g) Amend Article 38(B).1.4 of Zoning By-law 60-94 by adding a new Item 38(B).1.4(q) which reads “(q) Place of amusement”, after Item 38(B).1.4(p), and renumbering the remainder of the items in Article 38(B).1.4 accordingly.
- (h) Delete the text associated with Article 16.3.2, Sentence 17.3.2(1), Sentence 17.3.4(1), Article 17.3.6 and Article 19.3.2 that currently permits a place of amusement on a site specific basis, and replace with the text “[not in use]” since the parent UGC-A, PCC-A, PCC-B, PCC-C and SPC-A Zones would now permit a place of amusement and therefore no longer need site specific permissions.

15. Zoning By-law Section 18: PSC – Planned Strip Commercial, Subsection 5.11: Refreshment Vehicles, and Schedule “A”: Map A2 and Map B2

Issue:

The lands on King Street West and Bond Street West east of the western confluence of the two streets form part of a Regional Centre as designated in the Durham Regional Official Plan (Envision Durham) approved by the Province of Ontario on September 3, 2024. King Street West and Bond Street West are identified as a Rapid Transit Corridor in Envision Durham. Strategic Growth Areas such as Regional Centres represent optimal locations for prioritizing intensification and higher density mixed-use development. Regional Centres 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 establishes a long-term transit supportive density target of 150 people and jobs per gross hectare in Regional Centres on Rapid Transit Corridors.

The P.P.S. states that planning authorities should identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas and support redevelopment of commercially-designated retail lands to support mixed-use residential development. It also states that planning authorities shall plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.

The lands on the north and south sides of King Street West and the south side of Bond Street West east of the western confluence of the two streets are designated either as Planned Strip Commercial or Planned Commercial Centre, and form part of the Downtown Main Central Area in the O.O.P. King Street West and Bond Street West are identified as a Transit Spine. The policies of the O.O.P. state that the Downtown Main Central Area

outside of the Downtown Oshawa Urban Growth Centre is to have emphasis on major office, retail business, personal and administrative services, residential, institutional, recreational, cultural and entertainment uses, and shall be planned to support an overall long-term density target of at least 75 residential units per gross hectare and a floor space index of 2.5. The built form is to consist of a wide variety of high-rise and mid-rise development, with some low-rise development. Developments adjacent to Transit Spines are to provide for a broad mix of uses whose nature lends themselves to more intensive, compact development at higher densities, which are complementary in terms of scale, design and context to the support of transit services, and which are compatible with surrounding stable, established development. The O.O.P. contains policies that establish various density types and provide general locational criteria for such densities. Table 2, Residential Density Classification, in the O.O.P. has five density categories including the High Density II Residential category. The general representative housing type/form within the High Density II Residential category generally consists of medium rise and high rise apartments with a density range of 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.

The current zoning of these lands is primarily PSC-A (Planned Strip Commercial). This zone permits single-use or mixed-use commercial/residential buildings with heights of up to 13 metres (42.7 ft.) (generally 4 storeys) and a residential density of up to 85 units per hectare (34 u/ac.). In addition, there are several sites where site specific conditions have been implemented, such as 400 King Street West which is zoned to permit up to 62 metres (203.4 ft.) in building height on the south side of the property abutting King Street West and up to 24 metres (78.7 ft.) in height on the north side of the property abutting Bond Street West.

Given the above-noted policy context of the P.P.S., Envision Durham and the O.O.P., and in consideration of the planned Durham-Scarborough Bus Rapid Transit service that will provide high-frequency transit service along the Highway 2 corridor, the lands on the north and south sides of King Street West and along the south side of Bond Street West, west of the Downtown Oshawa Urban Growth Centre, are appropriate for zoning that permits mid-rise and high-rise high density mixed-use buildings with lesser residential parking rates.

The proposed zoning would generally allow for the following:

- Residential densities of up to 300 units per hectare (121 u/ac.);
- Building heights of up to 6 storeys [20m (65.6 ft.)] on the south side of Bond Street West and on the south side of King Street West;
- Building heights of up to 13 storeys [40m (131.2 ft.)] on the north side of King Street West;

- The implementation of new building setback requirements for portions of buildings greater than 4 storeys [13m (42.7 ft.)] in height;
- Reduced residential parking requirements for apartments and flats, down to 0.5 parking spaces per unit plus 0.25 spaces per bedroom after the first, plus 0.25 parking spaces per unit for visitors. Currently, the parking requirements for apartments and flats in this area are as follows:
 - Rental apartment building: 1.0 parking space per unit plus 0.3 spaces per unit for visitors;
 - Condominium apartment building: 1.45 spaces per unit plus 0.3 spaces per unit for visitors; and,
 - Flats in a mixed use building 4 storeys or less: 1.0 space per unit.
- Reduced residential parking requirements for block townhouses, down to 1.0 parking space per unit plus 0.25 parking spaces per unit for visitors. Currently, the parking requirements for block townhouses in this area are as follows:
 - Rental block townhouses: 1.25 parking spaces per unit plus 0.35 spaces per unit for visitors; or,
 - Condominium block townhouses: 1.65 spaces per unit plus 0.35 spaces per unit for visitors.

Staff anticipate that a City-initiated rezoning to increase permitted height and density and reduce residential parking requirements would allow these lands to gradually intensify with mixed-use redevelopment and further support the future Durham-Scarborough Bus Rapid Transit service along King Street West and Bond Street West.

The proposed new zoning will not remove any current development rights from any lands currently zoned PSC-A (Planned Strip Commercial) but rather will introduce additional permissions. The proposed changes to minimum parking requirements would only apply to residential uses; no changes are proposed to non-residential parking requirements.

Lands not zoned PSC-A (Planned Strip Commercial) would not be affected. The Pioneer Memorial Garden Cemetery would retain its CE (Cemetery) zoning, and the Oshawa Centre would retain its PCC-A(1) and PCC-A(2) (Planned Commercial Centre) zoning which already permits high density and high-rise development.

Proposed Amendment:

- (a) Amend Schedule “A” – Maps A2 and B2 of Zoning By-law 60-94 by changing the zoning of certain lands along the south side of Bond Street West and along the north and south sides of King Street West, generally between the confluence of these two roads west of Stevenson Road North and Nassau Street, from the existing PSC-A (Planned Strip Commercial) zoning to various new PSC-C (Planned Strip Commercial) Zones, as generally shown on Appendix 1 to this Attachment.

Staff note that several properties currently have compound PSC-A (Planned Strip Commercial) and SSC (Automotive Service Station) zoning. SSC zones permit fuel bars and/or automobile service stations and/or car washes. These lands will continue to have a compound zone of PSC-C (Planned Strip Commercial) and the respective existing SSC (Automotive Service Station) Zone.

- (b) Amend Schedule “A” – Map A2 of Zoning By-law 60-94 by changing the zoning of 580 King Street West from PSC-A(2) to PSC-C(1) while maintaining all existing site specific provisions.
- (c) Amend Article 18.3.3 by deleting the text “PSC-A(2)” and replacing it with the text “PSC-C(1)” throughout Article 18.3.3.
- (d) Amend Schedule “A” – Map A2 of Zoning By-law 60-94 by changing the zoning of 400 King Street West from PSC-A(16) to PSC-C(2) while maintaining all existing site specific provisions, save and except for the residential parking provisions given that the proposed new parking requirements would be less than those currently contained in the PSC-A(16) Zone.
- (e) Amend Article 18.3.18 by deleting the text “PSC-A(16)” and replacing it with the text “PSC-C(2)” throughout Article 18.3.18
- (f) Amend Schedule “A” – Map A2 of Zoning By-law 60-94 by changing the zoning of 245 King Street West from PSC-A(7) to PSC-C(3) while maintaining all existing site specific provisions.
- (g) Amend Article 18.3.9 by deleting the text “PSC-A(7)” and replacing it with the text “PSC-C(3)” throughout Article 18.3.9.
- (h) Amend Article 18.1.2 of Zoning By-law 60-94 by adding the text “or PSC-C” after the text “PSC-A” such that the first sentence of Article 18.1.2 reads as follows:

“18.1.2 The following uses are permitted in any PSC-A or PSC-C Zone:”
- (i) Amend Table 18.2 of Zoning By-law 60-94 by adding a fourth column outlining new PSC-C Zone regulations, such that Table 18.2 reads as follows:

| Zones | | PSC-A and PSC-B | PSC-C |
|--|-----------------------------|------------------------|---|
| Minimum Interior Side Yard and Rear Yard Depth (m) | Abutting a Residential Zone | 4.5 | 4.5m for the first 13.0m or part thereof of height, and every 1.0m of additional height shall have an additional minimum yard depth of 1.0m, up to a maximum required yard depth of 20.0m |
| | Abutting a Commercial Zone | 0.0 | 0.0m for the first 13.0m in height, and 4.5m for any portion of building above 13.0m in height |

| Zones | | PSC-A and PSC-B | PSC-C |
|--|--|------------------------|--|
| | Abutting a Zone Other Than Residential or Commercial | 3.0 | 3.0m for the first 13.0m in height, and 4.5m for any portion of building above 13.0m in height |
| Maximum Height (m) | | 13.0 | 20.0 |
| Maximum Density – Dwelling Units Per Hectare | | 85 | 300 |

- (j) Amend Subsection 18.2 of Zoning By-law 60-94 by adding new Articles 18.2.6 and 18.2.7 that together read as follows:

“18.2.6 Notwithstanding the definition of “front lot line” in Section 2 of this By-law to the contrary, where a lot in a PSC-C Zone has a street line abutting King Street West or Bond Street West, that street line shall be the front lot line. In the case of a lot that abuts both King Street West and Bond Street West, the lot line that abuts King Street West shall be deemed to be the front lot line.

18.2.7 Notwithstanding any provision of this By-law to the contrary, in any PSC-C Zone, the minimum residential parking requirement shall be equivalent to the parking requirement for the area shown on Schedule “D” as Area B, as described in Table 39.3B.”

- (k) Amend Article 5.11.1 of Zoning By-law 60-94 by adding the text “, PSC-C Zone” after the text “PSC-A Zone” such that it reads as follows:

“5.11.1 Stationary refreshment vehicles are only permitted in any PCC Zone, PSC-A Zone, PSC-C Zone and SPC Zone that permit a fast food restaurant.”

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|----------|--|
| Title: | Proposed New Zoning for King Street West and Bond Street West |
| Subject: | City-initiated Amendments to the Official Plan and Zoning By-law 60-94 |
| Ward: | All Wards |
| File: | 12-12-4539 |

