

ED-25-80 City-initiated Amendments to Zoning By-law 60-94

Request to refer amendment 2, except amendment 2(c), (Zoning By-law 60-94 Subsection 5.17: Payday Loan Establishment, Tattoo Parlour, Pawn Shop, Vapour Product Shop and Adult Use Store) back to staff for additional information and consideration.

To Members of the Economic and Development Services Committee,

I understand that the recommendation is only to authorize the statutory public meeting process. However, I think that amendment 2, except for amendment 2(c), should be referred to staff before this process. Below I will outline the issues that should be further considered.

Amendment (b)(ii) – Adding “social service establishment”

This amendment adds “social service establishment” to the list of places. However, there is no explicit mention of this in the issue section or an explanation of what this includes. I did go into the Zoning By-Law to find this, but there needs to be more information provided before this goes to public notice about what this covers and why it is to be included.

Amendment (b)(iv) – Increasing separation distance from 400m to 800m

This amendment doubles the separation distance required between another lot occupied by the same use. Again, this is not mentioned in the issues section or why the separation distance was doubled from 400m to 800m. For the public, this needs to be made clear.

To provide some scale, Schedule “I” extends along King St from Oshawa Creek to Ritson Rd, approximately 1200m, and along Simcoe St from Brock St to John St, approximately 900m. Using Oshawa City Hall as an example, 800m from the property line along Athol St is Drew St and 400m along Athol St is approximately to the property line of the Tribute Communities Centre. Doubling the separation distance from 400m to 800m seems excessive and the stated goals of the amendment would be satisfied with the existing 400m distance and allow for competition between businesses.

The odd inclusion of tattoo parlours

I find it odd that tattoo parlours are included in this section of the zoning by-law and assume that it is a holdover from the 1990s when tattoos were less accepted. Today, tattoos are forms of artistic expression and have greater societal acceptance.

Downtown Bowmanville has 8 tattoo parlours, 5 are located directly on King St. In no way do I feel that these businesses reduce the quality of the pedestrian environment, public safety, or the ability of the existing businesses to remain viable. These businesses have attractive storefronts and contribute to downtown activity. An open business is better than an empty storefront and we should be encouraging tattoo artists to open businesses in downtown Oshawa rather than in suburban strip malls.

I don't think that tattoo parlours should be included in the same category as an "adult use store". I think tattoo parlours should be removed from this section of the zoning by-law, recognizing the artistic quality and greater societal acceptance of tattoos as a form of art and allowing the tattoo artists to contribute to the vibrancy of downtown Oshawa.

Agreement with other amendments

I agree that vapour product shops should be limited in the downtown core. I believe that they are not allowed to showcase products in window displays which is not helpful in a downtown environment.

I also agree with the housekeeping amendment 2(d) to specify that only elementary, secondary, and private schools are included and not post-secondary schools.

Overall

- Additional information and explanation are needed of why social service establishments are proposed to be added and why the separation distance was doubled from 400m to 800m before going through the public notice process as it is currently not explicitly mentioned in the "issue" writeup.
- Consider removing tattoo parlours from section 5.17 of the by-law, recognizing that these businesses contribute to a vibrant and artistic downtown.

This section of the zoning by-law highlights how zoning sometimes goes too far to attempt to solve perceived problems.

Recommendation

That amendment 2, except amendment 2(c) be referred to staff to

- a) Provide additional information on the rationale for including social service establishments in section 5.17 and doubling the separation distance.
- b) Consider removing tattoo parlours from section 5.17 of the zoning by-law.

Thank you for your consideration,

Noah Edwards
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