



Information Memo

To: City Council

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

Item Number: INFO-25-172

Date: October 15, 2025

Subject: Council Decision to Approve City-initiated Amendments to
Zoning By-law 60-94 - Appeal to the Ontario Land Tribunal

Ward: All Wards

File: 12-12-5055

1.0 Purpose

The purpose of this Report is to inform City Council of the City's receipt of an appeal to the Notice of the Passing of By-law 82-2025, which is a by-law passed by Council on June 26, 2025 to implement various City-initiated amendments to Zoning By-law 60-94. The appeal was filed by Deb Oldfield.

2.0 Input From Other Sources

The following have been consulted in the preparation of this Report:

- Commissioner, Corporate and Finance Services Department
- City Solicitor

3.0 Analysis

On June 26, 2025, City Council considered [Report CNCL-25-34](#) dated June 18, 2025, which contained City staff's recommended City-initiated amendments to Zoning By-law 60-94, as amended ("Zoning By-law"), to implement:

- Site specific provisions for the Oshawa Centre commercial property at 419 King Street West; and,
- Minimum distance separation provisions on a City-wide basis between certain uses.

City staff regularly bring forward to Council recommended amendments to the Zoning By-law that are intended to improve customer service, maintain the currency and effectiveness of the Zoning By-law and reduce the number of minor variance applications to the Committee of Adjustment. The amendments in By-law 82-2025 are intended to support higher density development opportunities and contribute to the creation of a high

quality retail, residential and pedestrian-oriented environment in the City's residential/commercial mixed-use areas.

Following their consideration of Report CNCL-25-34 dated June 18, 2025, Council adopted the following recommendation:

"That the proposed amendments to Zoning By-law 60-94 as generally set out in Attachment 1 to Report CNCL-25-34 dated June 18, 2025 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."

On June 26, 2025, after considering Report CNCL-25-34, City Council passed By-law 82-2025. On July 2, 2025, City staff issued Notice of the Passing of By-law 82-2025 in accordance with the requirements of the Planning Act, R.S.O. 1990, c. P.13 (the "Planning Act") and the City's Public Notice Policy GOV-23-02.

On July 22, 2025, the City received one (1) appeal to the Notice of the Passing of By-law 82-2025 from Deb Oldfield, within the 20-day legislated appeal period under Section 34(19) of the Planning Act, which period expired on July 22, 2025.

On September 29, 2025, Council passed a resolution (Item ED-25-95 dated September 8, 2025) concerning general actions for a standard defense strategy in support of the City's position in the event of an appeal filed under the Ontario Planning Act or the Ontario Heritage Act to the Ontario Land Tribunal ("O.L.T.") regarding a decision of Council.

Based on Item ED-25-95, City Council has authorized staff to take appropriate action, as deemed necessary by the Commissioner, Economic and Development Services Department, in consultation with the City Solicitor, to support Council's decision to pass By-law 82-2025 based on Report CNCL-25-34, including to attend the O.L.T. hearing.

Based on Report CNCL-25-34, in combination with Council's instructions under Item ED-25-95, the O.L.T. will be advised by City staff that:

- City Council maintains their position to enact City-initiated amendments to Zoning By-law 60-94 as set out in By-law 82-2025; and,
- The City seeks party status at the O.L.T.

Further, as part of Council's directive to staff under Item ED-25-95 to take appropriate action to support Council's decision, staff will request the O.L.T. to make an order [under Subsection 34(31) of the Planning Act] providing that any part of By-law 82-2025 not in issue in the appeal shall be deemed to have come into force on the day the by-law was passed, i.e. June 26, 2025.

Staff would participate in any O.L.T.-led mediation in the event it was offered and report back to the Economic and Development Services Committee and Council on the results for Council to make a final decision on acceptance.

Staff would also engage the necessary consultants, at the discretion of the Commissioner, Economic and Development Services Department, to prepare for and attend the O.L.T.-led mediation and/or hearing in support of Council's decision.

Upon the conclusion of the hearing, City staff will report back to Council by including within the appropriate Information Package a copy of the O.L.T.'s decision.

4.0 Financial Implications

Any consultant(s) deemed necessary in support of Council's decision would be accommodated through the Corporation Litigation Account.

Other anticipated costs to the City are included in the appropriate 2025 Departmental budgets.

5.0 Relationship to the Oshawa Strategic Plan

This Report responds to the following Oshawa Strategic Plan Priority Areas:

"Innovate: Vibrant Culture and Economy" with the goal to attract new businesses and support existing businesses and industry.

"Care: Safe and Sustainable Environment" with the goal to collaborate and advocate for effective services, programs, and community safety and well-being support.

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



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