

Planning Act Public Meeting Report

To: Economic and Development Services Committee

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

Report Number: ED-26-03

Date of Report: January 7, 2026

Date of Meeting: January 12, 2026

Subject: Applications to Amend the Samac Secondary Plan and Zoning
By-law 60-94, The Biglieri Group on behalf of Reza Fadavi,
2043 Simcoe Street North

Ward: Ward 2

File: OPA-2025-02, Z-2025-04

1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting on the applications submitted by the Biglieri Group on behalf of Reza Fadavi (the “Applicant”) to amend the Secondary Plan for the Samac Community (File: OPA-2025-02) and Zoning By-law 60-94 (File: Z-2025-04) to permit the development of two (2) three-storey stacked townhouse buildings (apartment buildings) containing a total of 33 dwelling units at 2043 Simcoe Street North (the “Subject Site”).

The apartment units are proposed to be marketed primarily to students attending the north Oshawa campus of Ontario Tech University and Durham College. Staff have been advised by the Applicant that it is planned that the buildings will be entirely rental tenure.

The Applicant has also requested that the Subject Site be classified as a Class 4 Area in accordance with the Ministry of the Environment, Conservation and Parks’ (“M.E.C.P.”) Publication NPC-300 (Environmental Noise Guidelines – Stationary and Transportation Sources) (the “Noise Guideline”).

Attachment 1 is a map showing the location of the Subject Site and the existing zoning in the area.

Attachment 2 is a copy of the proposed site plan submitted by the Applicant.

Attachment 3 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.

A notice advertising the public meeting was mailed to all assessed property owners within 120 metres (400 ft.) of the Subject Site and to all required public bodies. In addition, a sign giving notice of the applications has been posted on the Subject Site. 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 January 9, 2026.

2.0 Recommendation

That, pursuant to Report ED-26-03 dated January 7, 2026, concerning the applications submitted by the Biglieri Group on behalf of Reza Fadavi to amend the Samac Secondary Plan (File: OPA-2025-02) and Zoning By-law 60-94 (File: Z-2025-04) to permit the development of two (2) three-storey stacked townhouse buildings (apartment buildings) containing a total of 33 dwelling units at 2043 Simcoe Street North, 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.

3.0 Input from Other Sources

3.1 Other Departments and Agencies

The subject applications have been circulated for comment and the identification of issues to a number of departments and agencies. These comments and issues will be considered and reported on, as appropriate, in a subsequent staff report which will provide a recommendation on the applications.

4.0 Analysis

4.1 Background

The Subject Site is generally located on the east side of Simcoe Street North, south of Conlin Road East, and is municipally known as 2043 Simcoe Street North (see Attachment 1).

The following is background information concerning the subject applications:

Item	Existing	Requested/Proposed
Envision Durham Designation	Rapid Transit Corridor	No change
Oshawa Official Plan Designation	Residential within an Intensification Area along a Regional Corridor	No change

Item	Existing	Requested/Proposed
Samac Secondary Plan Designation	Mixed Use Residential	Mixed Use Residential subject to a site specific policy to permit a maximum residential density of 177 units per hectare (72 u/ac.)
Zoning By-law 60-94	MU-A(4) “h-12” (Mixed Use)	An appropriate site specific MU-A (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, lot coverage and height, reduced parking, building frontage and yard depths, and to permit balconies facing north, south and east
Use	Single Detached Dwelling	Two (2) apartment buildings (stacked townhouses) containing a total of 33 units

The following land uses are adjacent to the Subject Site:

- **North** A commercial plaza containing several commercial buildings at 2045 Simcoe Street North
- **South** A medical office at 2039 Simcoe Street North, beyond which are single detached dwellings
- **East** Single detached dwellings fronting Walreg Drive
- **West** Simcoe Street North, beyond which is the main campus of Ontario Tech University and Durham College

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

Site Statistics Item	Measurement
Lot Frontage	30.27m (99.31 ft.)
Gross Lot Area (inclusive of road widening)	1,957 sq. m. (0.48 ac.)
Net Lot Area (exclusive of road widening)	1,871.7 sq. m. (0.46 ac.)
Number of Proposed Residential Units	33 units (41 bedrooms) <ul style="list-style-type: none"> ▪ 7 bachelor units ▪ 14 one-bedroom units ▪ 5 one-bedroom plus den units ▪ 6 two-bedroom units ▪ 1 three-bedroom unit

Site Statistics Item	Measurement
Maximum Net Residential Density Permitted in a MU-A(4) Zone	85 units per net hectare (34 u/ac.) (16 units)
Proposed Net Residential Density	177 units per net hectare (72 u/ac.)
Maximum Permitted Building Height for an Apartment Building in a MU-A(4) Zone	11m (36.1 ft.)
Proposed Building Heights	Building A: 11.5m (37.73 ft.) (3 Storeys) Building B: 11.7m (38.39 ft.) (3 Storeys)
Minimum Rear Yard Depth for an Apartment Building in a MU-A(4) Zone	16m (52.5 ft.)
Proposed Rear Yard Depth	10m (32.8 ft.)
Parking Spaces Required	43 (1.0 per unit plus 0.3 per unit for visitors)
Residential Parking Spaces Provided	10 (0.2 per bedroom plus 0.05 per bedroom for visitors)
Bicycle Parking Provided	5

4.2 Durham Regional Official Plan

The 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, as amended (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 Rapid Transit Corridor on Map 1, Regional Structure, of Envision Durham. Rapid Transit Corridors are identified as Strategic Growth Areas where emphasis is on accommodating intensification and higher-density mixed uses and where development is in a transit supportive compact urban-built form. Envision Durham specifies a minimum transit-supportive density target of 150 persons and jobs per gross hectare along Rapid Transit Corridors.

Simcoe Street North is identified as a Rapid Transit Spine on Map 3a, Transit Priority Network, of Envision Durham.

The policies and provisions of Envision Durham will be considered during the further processing of the subject applications.

4.3 Oshawa Official Plan

The Subject Site is designated Residential within an Intensification Area along a Regional Corridor in the Oshawa Official Plan (the “O.O.P.”).

The Oshawa Official Plan specifies, in part, that areas designated as Residential shall be predominantly used for residential dwellings.

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 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 or at the periphery of 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 Subject Site meets the above mentioned locational criteria as it is within an Intensification Area along a Regional Corridor. The maximum residential density of 300 units per hectare would permit approximately 56 units on the Subject Site.

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.

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 SubCentral 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.

Policies 6.7.1 and 6.7.3 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 Ontario Tech University, 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.

The policies and provisions of the O.O.P. will be considered during the further processing of the subject applications.

4.4 Samac Secondary Plan

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

The Samac Secondary Plan specifies, in part, that areas designated Mixed Use Residential on Schedule "A", Samac Land Use and Street Plan, shall be used for Medium Density I Residential uses, Medium Density II Residential uses, and limited office and community uses in residential only or mixed use buildings.

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.).

The development proposed by the Applicant features 33 apartment units. The proposed development has a net residential density of approximately 177 units per hectare (72 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.

The policies and provisions of the Samac Secondary Plan will be considered during the further processing of the subject applications.

4.5 Zoning By-law 60-94

The Subject Site is currently zoned MU-A(4) “h-12” (Mixed use) in Zoning By-law 60-94 (see Attachment 1).

The MU-A(4) zone permits a range of residential and commercial uses including, but not limited to, apartment buildings, daycare centres, flats, offices, private school, and retirement home.

Two (2) three-storey apartment buildings (stacked townhouses) with up to 16 apartments are permitted in the MU-A(4) Zone subject to compliance with regulations.

The Applicant has submitted an application to amend Zoning By-law 60-94 to rezone the Subject Site to an appropriate site specific MU-A (Mixed Use) Zone subject to special conditions to permit the proposed buildings with a combined total of 33 apartment units. In order to implement the proposed building/site design, special regulations are proposed such as increased density, building height and lot coverage, reduced parking, building setbacks and building frontage, and to permit balconies facing north, south and east.

The existing “h-12” 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 shall be made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and Region;
- c) Driveway access to the satisfaction of the City and Region;
- d) Noise mitigation to the City’s satisfaction; and,
- e) Any necessary cross-access easements are created to the satisfaction of the City.

The subject applications will be reviewed against the provisions of Zoning By-law 60-94 during the further processing of the applications.

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 as rental accommodations for students attending Ontario Tech University and Durham College which are located on the west side of Simcoe Street North, opposite the Subject Site.

4.7 Noise Analysis

The Applicant submitted a noise impact study prepared by Sonar Environmental that assessed the impact of road traffic noise and stationary noise sources on the proposed residential units and recommended mitigation measures.

In order to comply with the M.E.C.P. Noise Guideline, the noise study recommends, in part, that the rooftop H.V.A.C. equipment and condenser units on the roof of the Shoppers Drug Mart building (2045 Simcoe Street North) immediately north of the Subject Site be enclosed or that noise walls be constructed around them as at-source mitigation measures.

Shoppers Drug Mart has not agreed to installing at-source mitigation measures.

Accordingly, the Applicant has submitted a request to the City to classify the Subject Site as a Class 4 Area under the Noise Guideline in order to allow the Applicant to account for mitigation on the Subject Site in the measurement of daytime and nighttime sound levels.

The Noise Guideline provides advice, sound level limits and guidelines that may be used when land use planning decisions are made under the Planning Act. They are intended to minimize the potential conflict between proposed noise sensitive land uses (e.g. residential uses) and stationary sources of noise emissions (e.g. industrial facilities). The Noise Guideline provides four (4) classification options (Class 1, 2, 3 and 4). The current classification of the Subject Site is Class 1.

The Guideline defines Class 1 Areas as those with an acoustic environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum".

A Class 4 Area is an acoustical environment where higher daytime and nighttime sound level limits from that otherwise permitted in an urban area, for both indoor and outdoor areas, may be considered. A Class 4 Area is defined as an area or specific site that:

- Would otherwise be defined as Class 1 or 2;
- Is an area intended for development with new noise sensitive land use(s) (e.g. residential dwellings) that are not yet built;
- Is in proximity to existing, lawfully established stationary source(s); and,

- Has formal confirmation from the land use planning authority (the City) that the Class 4 Area classification has been determined during the land use planning process.

The Guideline allows receptor-based noise control measures to be accounted for through matters such as closed exterior doors and windows and specific construction techniques/materials. However, the Guideline does not allow receptor based noise control measures to be accounted for in Class 1, 2 and 3 Areas. For Class 1, 2 and 3 Areas, noise assessments for stationary noise must assume that exterior doors and windows of the sensitive land use (dwelling units) are always open. For Class 4 Areas, noise assessments may assume that exterior doors and windows are closed as long as air conditioning is included in the design of the dwelling unit. This allows for higher daytime and nighttime sound level limits and means that unit occupants can close their windows and doors and continue to properly cool their home.

Where receptor based noise control measures are proposed, their implementation is to be required through a formal agreement between the developer and the City (e.g. Site Plan Agreement).

Sonar Environmental concluded that the proposed development could not comply with the Noise Guideline as a Class 1 Area due to the noise levels experienced at the Subject Site from the neighbouring commercial rooftop equipment. Sonar Environmental also assessed the noise levels based on the Class 4 Area noise limits and determined the proposed development would comply if the Subject Site was classified as a Class 4 Area. Since Shoppers Drug Mart has not agreed to at-source mitigation measures, Sonar Environmental has recommended the Subject Site be classified as a Class 4 Area. The Class 4 Area classification would only apply to the new development, not the existing single detached dwelling.

Staff have engaged Cambium Inc. to undertake a third-party professional peer review of the Applicant's request for the Class 4 area classification and Sonar Environmental's noise study on behalf of the City. The cost for the peer review will be the Applicant's.

4.8 Site Design/Land Use Considerations

The Applicant proposes to develop two (2) three-storey stacked townhouse buildings (apartment buildings) featuring a total of 33 dwelling units. The proposed development includes the provision of ten (10) parking spaces in total, with single driveway access from Simcoe Street North.

In support of the proposed development, the Applicant has submitted a variety of plans and documents including a site plan, floor plans, building elevation plans, a planning justification report, a grading plan, a servicing plan, a functional servicing and stormwater management report, a landscape plan, a geotechnical report, a hydrogeological report, an environmental site assessment, a traffic impact study, a parking study and a noise study.

Detailed design matters will be reviewed during the further processing of the applications to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies. This Department will conclude its position on the site design after it has

received and assessed comments from the circulated departments, agencies and the public.

Some of the specific matters this Department will be reviewing during the further processing of the subject applications include:

- (a) The appropriateness of the proposed height and density at this location;
- (b) Site/building design matters including buffers to adjacent residential uses, waste collection, driveway access, parking, loading, building architecture and building setbacks;
- (c) Servicing and stormwater management matters;
- (d) Transportation considerations;
- (e) The adequacy of the proposed reduced parking for the development;
- (f) Road widening requirements;
- (g) Noise attenuation, including the request to classify the Subject Site as a Class 4 Area;
- (h) The appropriateness of the proposed zoning regulations; and,
- (i) Crime Prevention Through Environmental Design Matters.

5.0 Financial Implications

There are no financial implications associated with the recommendation in this Report.

6.0 Relationship to the Oshawa Strategic Plan

This Report responds to the Oshawa Strategic Plan Priority Area:

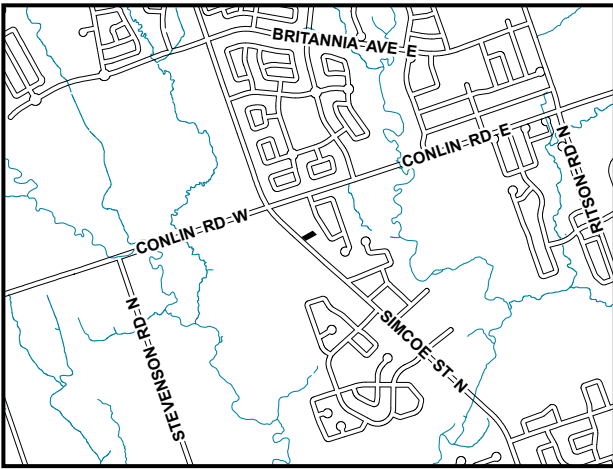
"Lead: Governance and Service Excellence" with the goal to offer community engagement activities that enhance transparency and bring diverse voices and perspectives into decision-making processes.



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



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



Item: ED-26-03
Attachment 1

Economic and Development Services

Subject: Applications to Amend the Samac Secondary Plan and Zoning By-law 60-94, The Biglieri Group on behalf of Reza Fadavi

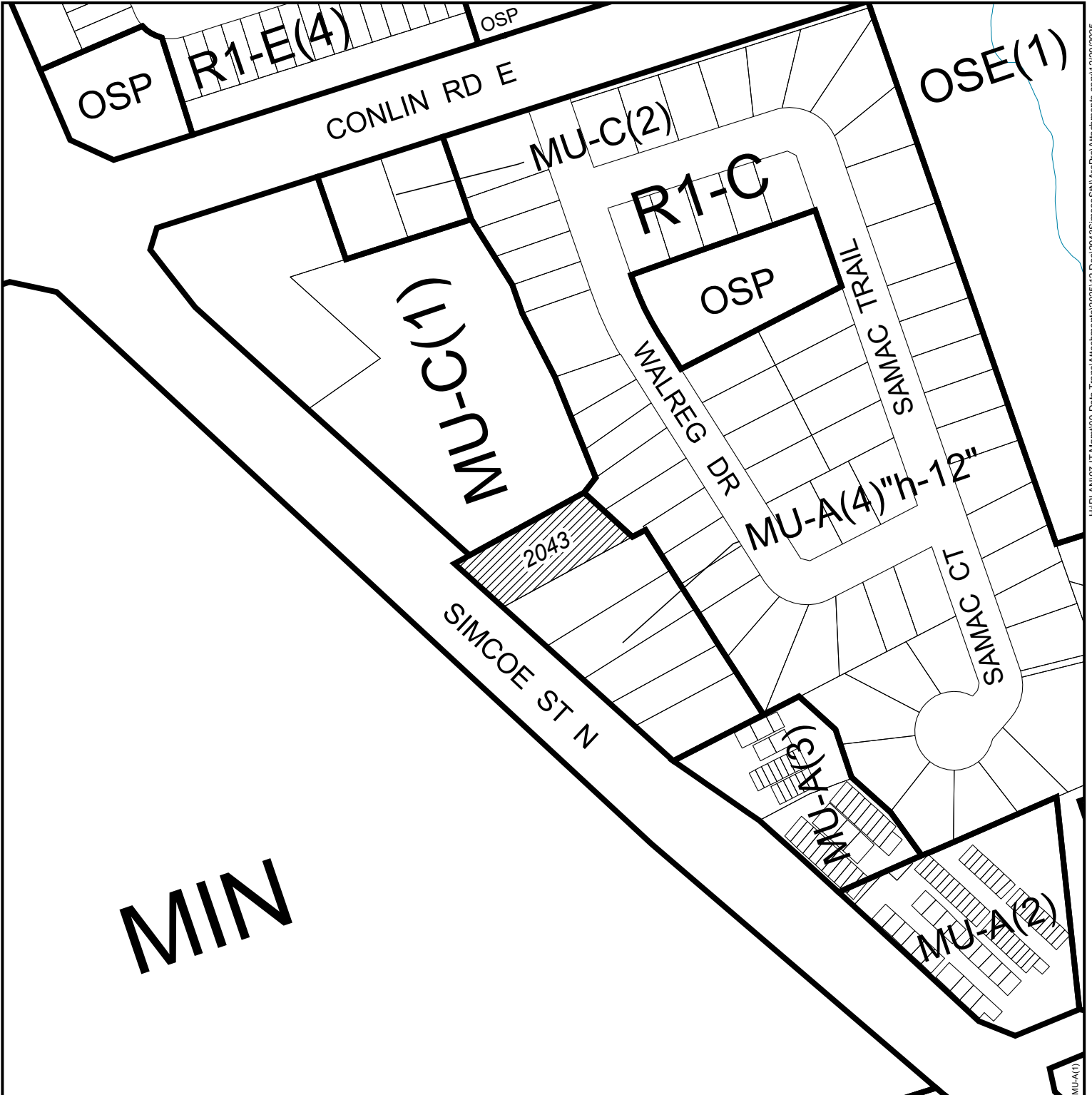
Address: 2043 Simcoe Street North

Ward: Ward 2

File: OPA-2025-02, Z-2025-04



Subject Site



Title: Proposed Site Plan Submitted by the Applicant
Subject: Applications to Amend the Samac Secondary Plan and Zoning By-law 60-94,
The Biglieri Group on behalf of Reza Fadavi
Address: 2043 Simcoe Street North
Ward: Ward 2
File: OPA-2025-02, Z-2025-04



Title: Excerpt Taken From Schedule 'A', Samac Land Use and Street Plan,
of the Secondary Plan for the Samac Community

Subject: Applications to Amend the Samac Secondary Plan and Zoning By-law 60-94,
The Biglieri Group on behalf of Reza Fadavi

Address: 2043 Simcoe Street North

Ward: Ward 2

File: File: OPA-2025-02, Z-2025-04

Item: ED-26-03
Attachment 3



City of Oshawa
Economic and Development Services

