

To: Economic and Development Services Committee

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

Report Number: ED-26-26

Date of Report: March 25, 2026

Date of Meeting: March 30, 2026

Subject: Revised Application to Amend Zoning By-law 60-94, Weston Consulting on behalf of 2835731 Ontario Inc., 827 Gordon Street

Ward: Ward 5

File: Z-2024-06

1.0 Purpose

The purpose of this Report is to provide recommendations on the following:

- The revised application submitted by Weston Consulting on behalf of 2835731 Ontario Inc. (the “Applicant”) to amend Zoning By-law 60-94 (File: Z-2024-06) to permit the development of four (4) block townhouses and 63 stacked townhouses, as well as to permit additional non-residential uses in the former Cedardale Public School building, for lands at 827 Gordon Street (the “Subject Site”);
- A request by the Applicant to designate the portion of the Subject Site proposed for residential development 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); and,
- An application to make alterations to the designated heritage building on the Subject Site (i.e. the former Cedardale Public School), made under Section 33 of the Ontario Heritage Act, R.S.O. 1990, c. O.18 (the “Ontario Heritage Act”).

The Applicant intends to sever the existing heritage building on the Subject Site from the lands proposed for residential development. In order to sever the lands, the Applicant will be required to submit an application for consent to the Committee of Adjustment at the appropriate time.

The Applicant intends to register the proposed residential development as a condominium. If the subject revised application to amend Zoning By-law 60-94, as amended, is approved,

the Applicant will be required to submit an application for approval of a draft plan of condominium at the appropriate time.

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

Attachment 2 is an air photo of the Subject Site and the surrounding area.

Attachment 3 is a copy of the original site plan submitted by the Applicant and considered at the November 4, 2024 public meeting.

Attachment 4 is a copy of the revised site plan submitted by the Applicant to address certain technical concerns.

Attachment 5 is a revised list of uses proposed to be permitted in the former Cedardale Public School building (including those uses currently permitted).

Attachment 6 contains drawings from the Heritage Impact Assessment submitted by the Applicant identifying the portion of the Cedardale Public School building that is proposed to be demolished.

On November 4, 2024, a public meeting was held with respect to the subject rezoning application. At the conclusion of the public meeting, the Economic and Development Services Committee adopted a recommendation to direct staff to further review the subject application and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. The minutes of the November 4, 2024 meeting form Attachment 7 to this Report.

Subsequent to the January 24, 2024 public meeting, the Applicant revised the development proposal. The key differences between the proposal considered at the public meeting (Attachment 3) and the revised proposal (Attachment 4) are as follows:

- (a) The setback of the 2-storey block townhouse building to the property line shared with 801 and 803 Gordon Street has increased from 6 metres (19.7 ft.) to 7.9 metres (25.9 ft.);
- (b) The visitor parking spaces for the residential development have been redistributed across the Subject Site to be closer to more units, rather than all located at the north end of the Subject Site as previously proposed;
- (c) The design of the roof of Block 1 has been revised to include a two (2) metre (6.6 ft.) high noise barrier around the south, west and east edges of the rooftop terrace, as recommended in the noise study to mitigate noise emanating from the adjacent AGS Automotive Systems plant on the rooftop amenity space;
- (d) The site design has been revised to increase the number of parking spaces for the existing heritage building from 25 to 30. The revised design includes two (2) sets of two (2) tandem parking spaces (intended for employees only);

- (e) The Applicant has revised the zoning amendment request to remove medical office as a proposed use. The revised list of proposed uses for the heritage building is found in Attachment 5;
- (f) The zoning amendment request has been revised to specify that the basement level of the existing heritage building shall only be used for staff areas and storage, and not function as leasable area. Consequently, the basement floor space would not factor into the parking calculation. The combined floor area of the first and second floors is 901.2 square metres (9,700 sq. ft.), resulting in a revised parking rate of one (1) parking space per 30 square metres (322.93 sq. ft.) of gross floor area for the following uses:
 - a. Art Gallery
 - b. Business Office
 - c. Children's Shelter
 - d. Commercial School
 - e. Museum
 - f. Music Club
 - g. Personal Service Establishment
 - h. Private school
 - i. Professional Office, excluding Medical Office
 - j. Studio; and,
- (g) The site design has been revised to include a Molok container system for waste storage for the existing heritage building, whereas previously a plan for waste storage and collection was not evident.

2.0 Recommendation

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

1. That, based on Report ED-26-26 dated March 25, 2026, the revised application submitted by Weston Consulting on behalf of 2835731 Ontario Inc. (File: Z-2024-06) to amend Zoning By-law 60-94 to permit four (4) block townhouses and 63 stacked townhouses as well as additional limited commercial uses in the existing heritage building on the lands municipally known as 827 Gordon Street be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner, Economic and Development Services Department, and the City Solicitor.
2. That, in accordance with Section 34(17) of the Planning Act and notwithstanding the Zoning By-law Amendment proposed in Report ED-24-120 dated October 30, 2024 presented at the public meeting of November 4, 2024 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 1 of this Recommendation, such differences are not substantial enough to require further notice and another public meeting.
3. That, based on Report ED-26-26 dated March 25, 2026, the vacant portion of the lands at 827 Gordon Street intended to be developed for residential uses, situated at the

intersection of Gordon Street and Wolfe Street, is hereby classified as a Class 4 Area as defined in the Ministry of the Environment, Conservation and Parks Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources).

4. That a copy of Report ED-26-26 dated March 25, 2026 and a copy of the decision of Council to classify the vacant undeveloped portion of 827 Gordon Street as a Class 4 Area under Publication NPC-300 be forwarded to the Ministry of the Environment, Conservation and Parks, AGS Automotive Systems and 2835731 Ontario Inc.
5. That, based on Report ED-26-26 dated March 25, 2026, the application submitted by the owner of 827 Gordon Street to alter a designated property made under Section 33 of the Ontario Heritage Act, being an application to permit the works as generally described in the Heritage Impact Assessment prepared by EVOQ Architecture dated August 2024, consistent with the revised application to amend Zoning By-law 60-94 for 827 Gordon Street (File: Z-2024-06), be approved under Section 33 of the Ontario Heritage Act, subject to a condition that, prior to the alteration, the owner shall prepare a Conservation Plan outlining strategies to protect the cultural heritage value of the original Cedardale Public School and ensure its longevity, to the satisfaction of the Commissioner, Economic and Development Services Department.

3.0 Input From Other Sources

3.1 Other Departments and Agencies

No department or agency that provided comments has any objection to the approval of the subject revised application. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the site plan approval and building permit processes, if the revised application is approved.

3.2 Public Comments

On September 28, 2023, the Applicant hosted a non-statutory public information centre at Monsignor John Pereyma Catholic Secondary School (316 Conant Street) to present the development for the Subject Site to the community and receive public feedback. City staff also attended the public information centre to observe the proceedings. At the public information centre, the Applicant presented a proposal with 75 stacked townhouse units.

Following this initial public consultation, the proposal was revised to feature 63 stacked townhouses and four (4) block townhouses (67 units in total), as presented at the statutory public meeting held on November 4, 2024.

The minutes of the November 4, 2024 public meeting concerning the subject application form Attachment 7 to this Report. Several public delegations were made during the meeting. In addition, written correspondence containing comments and expressing objections to the proposed rezoning was received from members of the public with respect to the subject application.

Key concerns raised by the public are set out below together with a staff response.

3.2.1 Height

Comment:

Comments were made that the proposed residential building heights are too tall for the area and are not compatible with the existing neighbourhood.

Staff Response:

The Applicant is proposing a 2-storey block townhouse building with a maximum height of 8.5 metres (27.9 ft.), and four (4) 3-storey stacked townhouse buildings featuring a rooftop terrace and having a maximum height of 13.5 metres (44.3 ft.).

The zoning of the lands surrounding the Subject Site permit maximum building heights of 9 metres (29.5 ft.) [R1-C and R5-A (Residential) Zones], 13 metres (42.6 ft.) [R5-B (Residential) and PSC-A (Planned Strip Commercial) Zones], and 20 metres (65.6 ft.) [GI (General Industrial) Zone]. The existing CIN (Community Institutional) Zone permits a maximum building height of 12 metres (39.4 ft.). The existing 2.5 storey heritage building is approximately 11 metres (36.1 ft.) high.

The Subject Site is located at the periphery of the adjacent residential neighbourhood. The proposed 2-storey building has been positioned at the rear of the Subject Site, closest to the area most enclosed by existing surrounding homes, and the 3-storey buildings have been positioned at the center of the Subject Site and adjacent to public roads. The site design implements suitable setbacks to neighbouring residential property lines. The proposed building heights are suitable for the site given the Subject Site's contextual location and the arrangement and orientation of the proposed buildings.

3.2.2 Privacy

Comment:

Concerns were expressed that there will be a loss of privacy for those with properties that abut the proposed development.

Staff Response:

Currently the property features existing chain link fencing along the interior lot lines. The development proposal includes a 1.8 metre (5.9 ft.) high wood privacy fence along all interior property lines of the residential development to adjacent surrounding residential properties.

The proposed development has been designed to be sensitive to neighbouring residential properties, incorporating suitable building setbacks to property lines and building height limits to minimize overlook onto neighbouring properties.

New coniferous and deciduous trees will also be planted along the periphery of the Subject Site.

3.2.3 Traffic

Comment:

Comments were made concerning a potential increase in traffic and overflow of parking onto the surrounding residential streets.

Staff Response:

Zoning By-law 60-94 requires a minimum of 118 parking spaces for four (4) block townhouses and 63 stacked townhouses, calculated as follows:

- 1.65 parking spaces per block townhouse unit for residents and 0.35 parking spaces per unit for visitors; and,
- 1.45 spaces per apartment (stacked townhouse dwelling) for residents and 0.3 spaces per unit for visitors.

The proposed site design provides 120 parking spaces for the residential development, exceeding the minimum requirement.

As part of the revised site plan, visitor parking was redistributed across the residential portion of the Subject Site rather than all concentrated within a specific area as previously proposed.

The Subject Site currently has 30 parking spaces for the uses in the existing heritage building. As part of the redevelopment of the Subject Site, the parking layout for the heritage building will need to be rearranged and formalized. The proposal presented at the public meeting in 2024 included 25 parking spaces for the existing building. Department staff worked with the Applicant to increase the amount of parking for the heritage building to 30 spaces and scope the proposed uses of the building.

The Applicant has consented to a zoning provision which will stipulate the basement of the existing building will be for storage and staff purposes only. Furthermore, a portion of the existing building will be demolished.

The Applicant has submitted a traffic impact study prepared by Nextrans, a professional transportation engineering firm. The study concluded that the proposed development will have negligible impact on the existing transportation network. All road intersections will continue to operate at acceptable levels of service. City and Region staff have no objections to the conclusions of the traffic impact study.

3.2.4 Noise

Comment:

Comments were made concerning the potential noise impact on the new residential units from the adjacent AGS Automotive Services manufacturing facility and noise from the music club operating in the existing heritage building.

Staff Response:

Section 4.7 of this Report provides a fulsome overview of the noise analysis undertaken in support of the subject application to amend the Zoning By-law.

3.2.5 Availability of Water for Fire Protection for Adjacent Manufacturing Facility

Comment:

A comment was provided by representatives of the AGS Automotive Systems manufacturing facility, located to the south of the Subject Site beyond Wolfe Street, that the introduction of the residential development would negatively impact the availability of municipal water for fire protection for the facility.

Staff Response:

Department staff consulted with the Region of Durham Works Department on this matter. The Region advises that the water demand methodology used by AGS' consultant is not suitable for determining municipal water demand and availability. The Region estimates the normal residential water use would be approximately 30-times less than that calculated by AGS' consultant. According to the Region, there would be no noticeable difference in the water flows available for fire protection in this area on a normal day if this residential development were constructed.

3.2.6 Loss of Greenspace

Comment:

Comments were made concerning the loss of greenspace and the loss of trees.

Staff Response:

The current zoning of the Subject Site would permit redevelopment of the site with new single detached dwellings under the existing R1-C (Residential) Zoning and/or new buildings for community institutional uses under the existing CIN (Community Institutional) Zoning.

The proposed development incorporates an outdoor amenity area which includes a children's play area for residents of the development. In addition, each unit will have a private outdoor amenity area (a rooftop terrace or an outdoor, fenced, ground level amenity area).

As part of their application, the Applicant submitted a Tree Inventory Plan and Landscaping Plan for the Subject Site. New coniferous and deciduous trees will be planted throughout the site including along the perimeter of the Subject Site.

4.0 Analysis

4.1 Background

The Subject Site is generally located at the northeast corner of Wolfe Street and Gordon Street and is municipally known as 827 Gordon Street (see Attachment 1).

The following is background information concerning the subject revised application to amend Zoning By-law 60-94:

Item	Existing	Requested/Proposed
Durham Regional Official Plan (Envision Durham)	Community Areas	No change
Oshawa Official Plan Designation	Residential	No change
Zoning By-law 60-94	R1-C/CIN (Residential/Community Institutional)	Lands associated with the former Cedardale Public School building: Rezone to an appropriate CIN (Community Institutional) Zone to implement the proposed site design with site specific conditions to permit an expanded list of uses and certain performance standards such as, but not necessarily limited to, reduced parking, loading, landscaped open space and rear yard and interior side yard depths. Balance of the lands: Rezone to an appropriate R5-B (Residential) Zone to implement the proposed development of four (4) block townhouses and 63 apartments (stacked townhouses) with site specific conditions to permit certain performance standards such as, but not necessarily limited to, increased height, reduced front yard, exterior side yard and interior side yard depths and reduced landscaped open space
Use	Music Club in the former Cedardale Public School	Maintain the original portion of the former Cedardale Public School building for community institutional and limited commercial uses, and develop the balance of the Subject Site with four (4)

Item	Existing	Requested/Proposed
		block townhouses and 63 apartments (stacked townhouses)

The following land uses are adjacent to the Subject Site:

- **North** Single detached dwellings and apartment buildings, beyond which is Conant Street
- **South** Wolfe Street, beyond which is the AGS Automotive Systems industrial facility
- **East** Single detached dwellings and a parking lot, beyond which is Rowena Street
- **West** Gordon Street, beyond which are single detached dwellings and commercial properties fronting Simcoe Street South and Gordon Street

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

Site Statistics Item	Measurement
Lot Frontage of Residential Lands	Wolfe Street – 56m (183.7 ft.) Gordon Street – 60m (196.9 ft.)
Lot Frontage of Community Institutional Lands	Wolfe Street – 35.5m (116.5 ft.) Gordon Street – 50m (164 ft.)
Existing Lot Area	12,050 sq. m. (2.98 ac.)
Residential Lot Area	9,950 sq. m. (2.46 ac.)
Heritage Building Lot Area	2,100 sq. m. (0.52 ac.)
Proposed Number of Block Townhouses	4
Proposed Number of Apartments (Stacked Townhouses)	63
Proposed Net Residential Density on Residential Lands	67.3 units per hectare (27.2 u/ac.)
Heritage Building Gross Floor Area	<ul style="list-style-type: none"> ▪ Existing: 1,503 sq. m. (16,178 sq. ft.) ▪ To be retained: 1,217.3 sq. m. (13,102.9 sq. ft.) <ul style="list-style-type: none"> ○ Basement: 316.1 sq. m. (3,402.6 sq. ft.) ○ First Floor: 453.4 sq. m. (4,880.5 sq. ft.) ○ Second Floor: 447.8 sq. m. (4,820.2 sq. ft.)
Height of Existing Heritage Building	11m (36.1 ft.)
Proposed Maximum Building Height	Block townhouse building: 8.5m (27.9 ft.) Stacked townhouse buildings 13.5m (44.3 ft.)

Site Statistics Item	Measurement
Residential Parking Spaces Required	4 Block Townhouses: 8 spaces (1.65 spaces per unit plus 0.35 spaces per unit for visitors) 63 Apartments (Stacked Townhouses): 110 spaces (1.45 spaces per unit plus 0.3 spaces per unit for visitors) Total – 118 spaces
Residential Parking Spaces Provided	4 Block Townhouses: 10 spaces (2 spaces per unit plus 0.50 spaces per unit for visitors) 63 Apartments (Stacked Townhouses): 110 spaces (1.45 spaces per unit plus 0.3 spaces per unit for visitors) Total – 120 spaces
Community Institutional Parking Spaces Required	Parking for the portion of the former Cedardale Public School building to be retained will ultimately be determined based on the type of uses implemented and the amount of floor space dedicated to each use. A previous Committee of Adjustment decision (File: A-2005-22) permits a minimum of 30 parking spaces for a music club instead of the required 51 parking spaces for that use [based on the building’s total existing gross floor area of 1,503 sq. m. (16,178 sq. ft.)]. It is estimated that the required parking rate would range between 30 and 51 spaces for most proposed uses in the portion of building to be retained. The rate could be higher depending on the floor space used for a place of worship or assembly hall which have higher parking rates.
Community Institutional and Commercial Parking Spaces Provided	30 parking spaces

4.2 Durham Regional Official Plan (Envision Durham)

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 Community Area in Envision Durham. Community Areas are intended to offer a complete living environment for Durham's residents. They are to be comprised of housing, commercial uses such as retail shopping and personal service uses, offices, institutional uses, community uses, and public service facilities such as schools, libraries and hospitals, as well as an array of cultural and recreational uses.

Community Areas shall be planned for a variety of housing types, sizes and tenures within connected neighbourhoods that include population-serving uses such as those noted directly above, provided such uses are appropriately located and compatible with their surroundings.

The subject revised rezoning application conforms to Envision Durham.

4.3 Oshawa Official Plan

The Subject Site is designated as Residential in the Oshawa Official Plan (the "O.O.P.").

The O.O.P. specifies, in part, that areas designated as Residential shall be predominately used for residential dwellings.

The O.O.P. contains policies which establish various residential density types and provide general locational criteria for such densities. Table 2, Residential Density Classification, has five (5) density categories including Medium Density II Residential. The proposed residential development at 827 Gordon Street would have a net residential density of 67.3 units per hectare (27.2 u/ac.) which is classified as the Medium Density II Residential Type.

The general representative housing type/form within the Medium Density II Residential category generally consists of townhouses, low rise apartments and medium rise apartments with a density range of 60 to 85 units per hectare (24 to 34 u/ac.), subject to general locational criteria as follows:

- (i) Generally located at the periphery of neighbourhoods along arterial roads, or 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 Local Central Areas or Regional and Local Corridors, or generally located in areas that are undergoing transition, such as neighbourhoods containing a range of land uses, in which higher density residential uses could be developed without generating undue adverse impacts on adjacent land uses; and,
- (ii) Generally located in such a manner that the scale, form and impacts of this type of housing are generally compatible with adjacent land uses.

Policy 2.3.3.1 of the O.O.P. reads as follows:

"2.3.3.1 The location and design of residential areas shall have regard for the adverse audio, olfactory, visual and pollution effects emanating from institutional, commercial or industrial land uses, railways or freeways. In addition, proposed residential areas adjacent to such uses shall be

planned and designed in accordance with any applicable federal and provincial guidelines or regulations.”

The Applicant has submitted a Noise Study and a Land Use Compatibility Study (air quality study), which have been peer reviewed by third party qualified consultants.

Policy 5.15.3 of the O.O.P. reads as follows:

“5.15.3 All development or redevelopment shall have regard for cultural heritage resources and shall, wherever feasible, incorporate these resources into any site plan or design that may be prepared for such development. Alternatively, arrangements may be made to preserve the resource in an appropriate manner off-site.”

The segment of Simcoe Street South adjacent to the Subject Site is designated as a Type “C” Arterial Road on Schedule “B”, Road Network, of the O.O.P. Gordon Street and Wolfe Street are local roads.

The subject revised rezoning application conforms to the O.O.P.

4.4 Zoning By-law 60-94

The Subject Site is currently zoned R1-C/CIN (Residential/Community Institutional).

The R1-C Zone permits single detached dwellings subject to compliance with various regulations.

The CIN Zone permits the following uses:

- Assembly hall
- Children’s shelter
- Church
- Club, excluding a nightclub
- Day care centre
- Elementary school
- Private school
- Secondary school

The Applicant proposes additional permitted uses for the former Cedardale Public School. The full revised list of uses proposed to be permitted for the portion of the Subject Site occupied by the existing heritage building is found in Attachment 5.

Stacked townhouse buildings are considered apartment buildings under Zoning By-law 60-94. Apartment buildings and block townhouses are not permitted in any of the aforementioned zones. The Applicant has submitted an application to amend Zoning By-law 60-94 to rezone the portion of the lands not intended to be used in conjunction with the former Cedardale Public School building to an appropriate R5-B (Residential) Zone subject to a special condition to permit 63 stacked townhouses.

The following uses are permitted in the R5-B Zone:

- Single detached dwelling
- Semi-detached dwelling/semi-detached building
- Duplex
- Triplex
- Fourplex
- Fiveplex
- Sixplex
- Apartment building

The Applicant's requested zoning also proposes to permit block townhouses to allow four (4) block townhouse units.

The various uses permitted in the CIN Zone and the proposed commercial uses have different minimum parking rates. The parking required for the building is dependent on the mix of uses and the amount of floor area each use occupies. The Applicant has agreed that the basement would only be used for storage and staff areas, meaning only the first and second floors of the portion of the heritage building to be retained (901.2 sq. m./9,700.8 sq. ft.) would contribute to the parking demand.

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

- Rezone a portion of the Subject Site associated with the former Cedardale Public School building from R1-C/CIN (Residential/Community Institutional) to an appropriate CIN (Community Institutional) Zone, with site specific conditions to permit additional institutional and commercial uses and certain performance standards such as, but not necessarily limited to, reduced parking, loading, and rear yard and interior side yard depths, and to permit limited tandem parking; and,
- Rezone the balance of the Subject Site from R1-C/CIN (Residential/Community Institutional) to an appropriate R5-B/CIN (Residential/Community Institutional) Zone to permit four (4) block townhouses and 63 apartments (stacked townhouse dwellings), with site specific conditions to implement the site design such as, but not limited to, increased building height, reduced front yard, exterior side yard and interior side yard depths, and reduced landscaped open space. Including the site-specific CIN zoning on the residential portion of the property which would allow the entire Subject Site to continue to be used as it is today until the site is redeveloped.

This Department recommends that an "h" holding symbol be applied to the zoning of the residential portion of the Subject Site which would restrict residential development until such a time as:

- Site plan approval is obtained from the City which addresses such matters as landscaping, fencing, lighting, and noise and industrial emissions mitigation; and,

- Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development, to the satisfaction of the City.

While the holding symbol is in place, only the site-specific CIN Zone uses would be permitted.

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

4.5 Heritage

The original portion of the existing former Cedardale Public School was built in 1920. It is designated as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act. The original portion of the building is proposed to be retained, with the later additions being demolished.

The Subject Site was designated under Part IV of the Ontario Heritage Act by By-law 126-2023 passed by City Council on October 30, 2023.

The existing building contains additions dating from 1927, 1928 and 1960 located on the north side of the original school building. As noted in By-law 126-2023, these additions do not possess cultural heritage value or contain heritage attributes. The Applicant intends to demolish these additions and retain the original building.

The Applicant has submitted a Heritage Impact Assessment prepared by EVOQ Architecture dated August 2024 to evaluate the impact the proposal will have on the cultural heritage value of the Subject Site and to recommend an overall approach to the conservation of the heritage resources.

On November 22, 2024, the Applicant formally submitted an application to alter the Subject Site under Section 33 of the Ontario Heritage Act together with all requisite materials (i.e. Heritage Impact Assessment, etc.), consistent with the proposal outlined in the related rezoning application.

Section 33 of the Ontario Heritage Act outlines a 150-day timeline for a municipal council to make a decision on an application to alter a designated property. Given outstanding matters involving the rezoning application at the time, City staff and the Applicant deemed it necessary to extend the aforementioned timeline in order to avoid making a premature decision on the Section 33 application to alter the designated property.

On March 31, 2025, City Council considered Report ED-25-27 dated February 26, 2025 concerning the process to extend the timeline associated with an application made under Section 33 of the Ontario Heritage Act for the Subject Site and passed the following motion:

“Therefore be it resolved that based on Item ED-25-27 dated February 26, 2025 concerning the process to extend the timeline associated with an application

made under Section 33 of the Ontario Heritage Act concerning the former Cedardale Public School at 827 Gordon Street:

1. That the Commissioner, Economic and Development Services Department, and Director, Planning Services be authorized to enter into an agreement with the property owner of 827 Gordon Street to waive or extend the 150-day timeline to consider an application submitted under Section 33 of the Ontario Heritage Act, in accordance with Section 33(7) of the Ontario Heritage Act, to coincide with Council's consideration of the submitted Zoning By-law Amendment application; and,
2. That staff be directed to report back to the Economic and Development Services Committee in Q3 2025 concerning appropriate opportunities to advance amendments to the Delegation of Authority By-law 29-2009, as amended, to allow the Commissioner, Economic and Development Services Department, and the Director, Planning Services to enter into agreements with property owners to waive and/or extend various timelines prescribed under the Ontario Heritage Act."

Accordingly, City staff and the Applicant entered into an agreement dated April 4, 2025 in order to extend the aforementioned 150-day timeline associated with an application made under Section 33 of the Ontario Heritage Act to coincide with Council's consideration of the related rezoning application.

Under Section 33 of the Ontario Heritage Act, a Council must consult with its municipal heritage committee (Heritage Oshawa) prior to making a decision on the alteration of a designated property. Council has the option to consent to the application, consent to the application with conditions, or refuse the application.

On January 30, 2025, Heritage Oshawa considered a presentation from Weston Consulting and EVOQ Architecture in addition to Report HTG-25-01 dated January 24, 2025 concerning the proposed redevelopment at the Subject Site and made the following recommendation with respect to the application to alter made under Section 33 of the Ontario Heritage Act:

"That based on Report HTG-25-01 dated January 24, 2025, the Section 33 application to alter, consistent with the application to amend Zoning By-law 60-94 for 827 Gordon Street, be recommended for approval under Section 33 of the Ontario Heritage Act, subject to the following condition:

- that the applicant prepare a Conservation and Viability Plan to ensure the long term conservation of the building that is acceptable to the City of Oshawa."

The purpose of a Conservation Plan is to outline strategies to protect a cultural heritage resource and ensure its longevity.

In the event Council approves the application to alter the designated heritage building, the Applicant will be required to prepare and submit a conservation plan to the City. Prior to a

building permit being issued for the alteration, the Commissioner, Economic and Development Services Department, or the Director, Planning Services, will need to be satisfied with the conservation plan.

The legal description of the property designated under the Ontario Heritage Act by By-law 126-2023 is the entire Subject Site as it exists today. If the lands are to be severed as proposed such that the heritage building and associated parking are situated on a new lot separate from the balance of the lands, By-law 126-2023 will need to be amended to scope the legal description to only the lands on which the heritage building will be located and remove the portion of the lands that will be developed with new residential uses. Section 30.1 of the Ontario Heritage Act sets out the process to amend a by-law designating a property under Part IV of the Ontario Heritage Act for the purposes of correcting information including, but not limited to, the statement of cultural heritage value or interest, the description of the property's heritage attributes, and the legal description of the property. An amendment to By-law 126-2023 through Section 30.1 of the Ontario Heritage Act would be required. Subsection 30.1(5) of the Ontario Heritage Act requires the council of a municipality to consult with its municipal heritage committee before giving notice of a proposed amendment to the owner of a designated property under Section 30.1(3). If the subject rezoning application is approved, and the Applicant moves forward with the residential development and the severance of the lands, a new 40R reference plan would need to be prepared by the Applicant, Heritage Oshawa would be consulted on the change to legal description in By-law 126-2023, and, subsequently, the proposed amendment to the heritage designation by-law would be brought forward to Council for approval.

4.6 Site Design/Land Use Considerations

The Applicant proposes to retain the heritage component of the former Cedardale Public School building and develop the balance of the lands with four (4) block townhouse units and 63 apartment units (stacked townhouses).

The four (4) block townhouse units (see Attachment 4) will each have individual rear yard amenity spaces. The block townhouse building will be two (2) storeys in height and each of the four (4) units will have a single car private garage and single car private driveway.

The 63 apartments (stacked townhouses) will be located in four (4) buildings (Blocks 1, 2, 3 and 4 shown on Attachment 4). Blocks 1 and 4 fronting Wolfe Street and Gordon Street, respectively, are each proposed to have 18 units. Block 2 is proposed to have 12 units and Block 3 is proposed to have 15 units (see Attachment 4). Each stacked townhouse unit will have either a rooftop terrace or an outdoor, fenced, ground level amenity area. The stacked townhouse buildings will be three (3) storeys in height plus a rooftop terrace.

In the event the subject rezoning application is approved, the Applicant will be required to obtain site plan approval for the residential development as well as the design of the heritage building lands (i.e. new parking area). A consent application to the Committee of Adjustment will be required in order to sever the property into two new lots. A future application for approval of a draft plan of condominium will also be required for the residential development in order to register the development as a condominium.

In support of the proposed development, the Applicant has submitted a variety of plans and documents including a site plan, a truck turning plan, floor plans, elevations, cross sections, a planning justification report, landscape plans and details, a survey, a functional servicing and stormwater management report, a grading plan, a servicing plan, a geotechnical study, a traffic impact study, a noise study and addendums, a land use compatibility study (air quality study), a heritage impact assessment, and an environmental site assessment. The Applicant also provided responses by their consultants to peer reviews of the noise and land use compatibility studies and responses to comments made by consultants hired by AGS Automotive Systems.

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

Some of the specific matters this Department will be reviewing during the processing of the future site plan application, should the subject rezoning application be approved, include:

- (a) Site/building design matters including accessibility, driveway access, parking configuration, pedestrian access, lighting, refuse storage and collection, snow storage, and building architecture;
- (b) Servicing, grading and stormwater management matters;
- (c) Noise and industrial emissions mitigation;
- (d) Construction management;
- (e) Implementation of the heritage impact assessment and a heritage conservation plan;
- (f) Landscaping and fencing; and,
- (g) Crime Prevention Through Environmental Design matters.

4.7 Noise and Land Use Compatibility

Due to the proximity of the Subject Site to the AGS Automotive Systems manufacturing facility, the Applicant was required to have a noise impact study and a land use compatibility study prepared as part of the submission package for the Zoning By-law Amendment application.

The Applicant retained Valcoustics, an acoustic engineering firm, to prepare a Noise Impact Study dated March 7, 2023 and EXP Services Inc. ("E.X.P."), an environmental engineering firm, to prepare a Land Use Compatibility Study (air quality study).

The Region of Durham retained PGL Environmental Consultants ("P.G.L."), an engineering firm with acoustic and environmental engineers, to peer review the Noise Impact Study and Land Use Compatibility Study. The cost of the peer review was the responsibility of the Applicant. At the time, the Region had the ability to undertake peer reviews in regard to development applications.

AGS Automotive Systems (“A.G.S.”) retained GHD Limited (“G.H.D.”), an engineering firm with acoustic and environmental engineers, to peer review the Noise Impact Study.

P.G.L. and G.H.D. both undertook peer reviews of the Noise Impact Study and Land Use Compatibility Study and provided peer review comments on behalf of the Region and A.G.S., respectively.

Valcoustics and E.X.P. undertook revisions to their respective studies to address a series of comments from P.G.L., G.H.D. and A.G.S.

Valcoustics recommended that the proposed residential development be classified as a Class 4 Area under M.E.C.P. noise guidelines and the following noise control measures be implemented for the residential development:

- 2.0 metre (6.56 ft.) high sound barrier/visual screen at the south terraces in Block 1;
- Central air conditioning for all units in the development;
- Exterior windows meeting STC-35 for all units; and,
- Warning clauses registered on title advising future occupants of the potential noise impact from road traffic and the AGS manufacturing facility.

E.X.P. recommended that best practices of building pressurization and filtration be included in the mechanical design of the residential buildings to ensure the tenants have good air quality in the dwelling units. E.X.P. also recommended that central air conditioning be provided for all units to allow windows to remain closed and thereby reduce indoor sound levels and odours, and that a warning clause be registered on title advising purchasers and leaseholders of the adjacent manufacturing facility and the potential for odours to be perceptible at times.

Ultimately P.G.L. accepted the findings of the revised Land Use Compatibility Study, and the remaining matters on the Noise Impact Study can be addressed through the future site plan approval application.

A.G.S. retained Cardinal Environmental Consulting Services Inc. (“Cardinal”) to prepare an Air Quality Assessment.

The Applicant retained SLR Consulting Ltd. (“S.L.R.”) to review and respond to the Cardinal report. The S.L.R. response concluded that the development of the Subject Site would not change how the Subject Site is assessed in relation to the manufacturing facility since residential uses are already permitted and the Subject Site has historically been occupied by sensitive land uses (i.e. a school).

G.H.D. on behalf of A.G.S. disagrees with the conclusions of Valcoustics, E.X.P., S.L.R. and P.G.L.

The Applicant has submitted a request for the proposed development to be classified as a Class 4 Area in accordance with the M.E.C.P. Publication NPC-300 (Environmental Noise Guidelines – Stationary and Transportation Sources) (the “Noise Guideline”). Valcoustics

notes that the sound levels at the site comply with the Class 4 limits with the implementation of a 2.0 metre (6.56 ft.) high sound barrier at the south rooftop terraces proposed on Block 1. The intent of the sound barrier is to obstruct noise from the A.G.S. facility on the rooftop outdoor amenity space of the units in Block 1 facing the facility. All other outdoor amenity spaces will be blocked by other buildings. Furthermore, all dwellings will be designed with upgraded exterior windows and with air conditioning units to avoid having to open the windows in the warmer months and mitigate the noise heard inside the dwelling unit from traffic and stationary noise sources.

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 and stationary sources of noise emissions (e.g. industrial facilities). The Noise Guideline provides four 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 Class 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 Noise 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.

A proposed development of a sensitive land use does not need to exhaust all options under a Class 1 classification in order to qualify to be classified as Class 4. It only needs to satisfy the criteria noted above. E.X.P. has demonstrated that the design of the residential development will satisfy the Class 4 Area criteria.

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).

It should be noted that G.H.D. and A.G.S. Automotive Systems disagree with the Class 4 Area classification, because, according to G.H.D., there remains the potential for complaints from new residents.

The City has approved Class 4 Area requests elsewhere for other residential developments in proximity to other industrial and commercial facilities such as GIP's asphalt plant, General Motors' production facility, the Tribute Communities Centre and an Oshawa Power transformer station.

This Department has no objection to the approval of the Applicant's request that the City classify the vacant undeveloped portion of 827 Gordon Street intended to be developed for residential uses as a Class 4 Area under the Noise Guideline for the following key reasons:

- (a) The Class 4 Area alternative would not require any construction on A.G.S.'s property, and does not include any long term maintenance responsibilities for an enclosure or noise walls for A.G.S.'s manufacturing facility; and,
- (b) Mitigation to meet the Class 1 Area noise limits is not considered feasible by the Applicant's consultant, Valcoustics. As a Class 4 Area, the residential development at 827 Gordon Street would need to be constructed with air conditioning at the onset by the builder to allow all exterior windows to meet an STC-35 rating and exterior doors to be closed if road traffic noise is audible or operations from the A.G.S. facility are audible. Further, to meet the Class 4 Area requirements, a 2.0 metre (6.56 ft.) high sound barrier/visual screen for the south terraces in Block 1 is provided.

Staff recommend that the following process be undertaken to formally confirm the undeveloped residential portion of 827 Gordon Street as a Class 4 Area under the Noise Guideline:

- City Council formally confirms the classification of the vacant undeveloped portion of the Subject Site planned to be developed for residential uses as a Class 4 Area;
- A copy of City Council's decision is forwarded to the Applicant, A.G.S., and M.E.C.P.;
- The site plan agreement for the proposed residential development between the City and the Applicant will include the following:
 - A requirement that the agreements of purchase and sale and rental/lease for all dwellings units include a warning clause advising occupants, purchasers and subsequent occupants and purchasers of the road and rail traffic, and adjacent manufacturing facility, that the dwelling unit is classified as a Class 4 Area in accordance with the Noise Guideline, that the development includes noise mitigation measures, and that the dwelling has been supplied with an air conditioning system which will allow for windows and exterior doors to be closed.

4.8 Basis for Recommendation on Zoning By-law Amendment Application

This Department has no objection to the approval of the subject revised application submitted by the Applicant to amend Zoning By-law 60-94 for the following reasons:

- (a) Developing a vacant portion of a property to a more intensive use in the Built Boundary is consistent with the Provincial Planning Statement, 2024.
- (b) The proposed development conforms to the Durham Regional Official Plan and the O.O.P.
- (c) The proposed development has access to nearby amenities and is transit supportive given it is within walking distance to existing Durham Region Transit bus stops and route (Routes 407, 411, 421 and 901).
- (d) The proposed development can be designed to be compatible with adjacent land uses.
- (e) The proposed development will make more efficient use of existing municipal services such as water and sanitary services.
- (f) The form and density of the proposed low rise block townhouse and stacked townhouse buildings are appropriate at this location at the periphery of the neighbourhood and adjacent to an arterial road.
- (g) The proposed development will not further restrict the ability of A.G.S. to expand or modify its operations at its facility located on the south side of Wolfe Street than the current R1-C (Residential) zoning.
- (h) A traffic study was prepared by a professional transportation consulting firm that indicated no adverse impact to the neighbourhood's road network.
- (i) A noise study and an air quality assessment were prepared by professional acoustic engineering and environmental engineering firms and the recommended measures are consistent with other measures applied elsewhere in the City, and are supported by the M.E.C.P. guidelines.
- (j) Heritage Oshawa has no objection to the alteration of the existing designated heritage building, subject to a conservation plan, which will help facilitate the proposed residential development.
- (k) The application supports the adaptive reuse of the former Cedardale Public School building and incorporates suitable and compatible commercial uses into the building and neighbourhood.
- (l) The proposed development will help the City to achieve the delivery of 23,000 new housing units in Oshawa between 2022 and 2031, as targeted by the Province.
- (m) The proposed development represents good planning.

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:

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



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



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



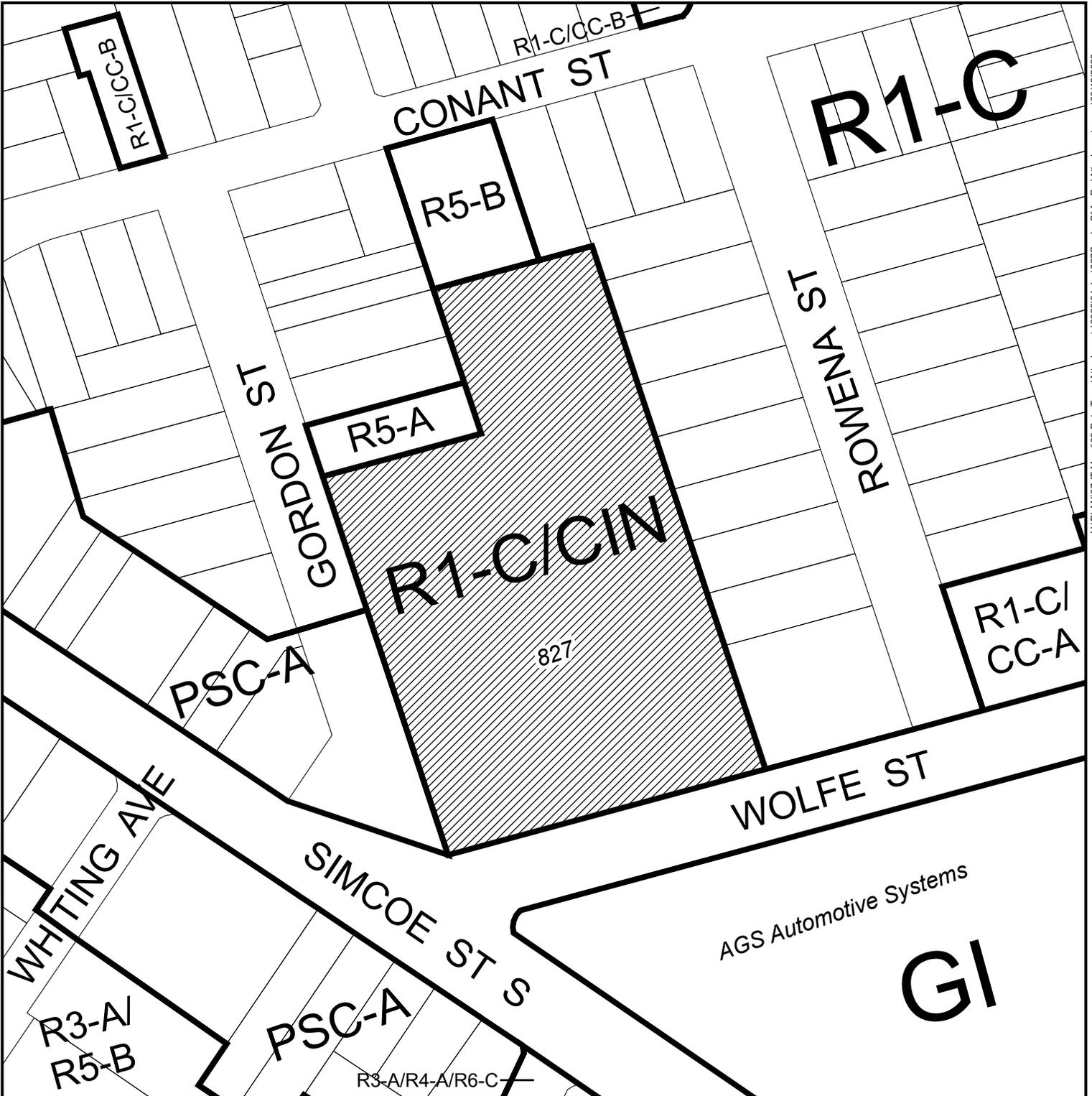
**Item: ED-26-26
Attachment 1**

Economic and Development Services

Subject: Revised Application to Amend Zoning By-law 60-94,
Weston Consulting on behalf of 2835731 Ontario Inc.
Address: 827 Gordon Street
Ward: Ward 5
File: Z-2024-06



Subject Site



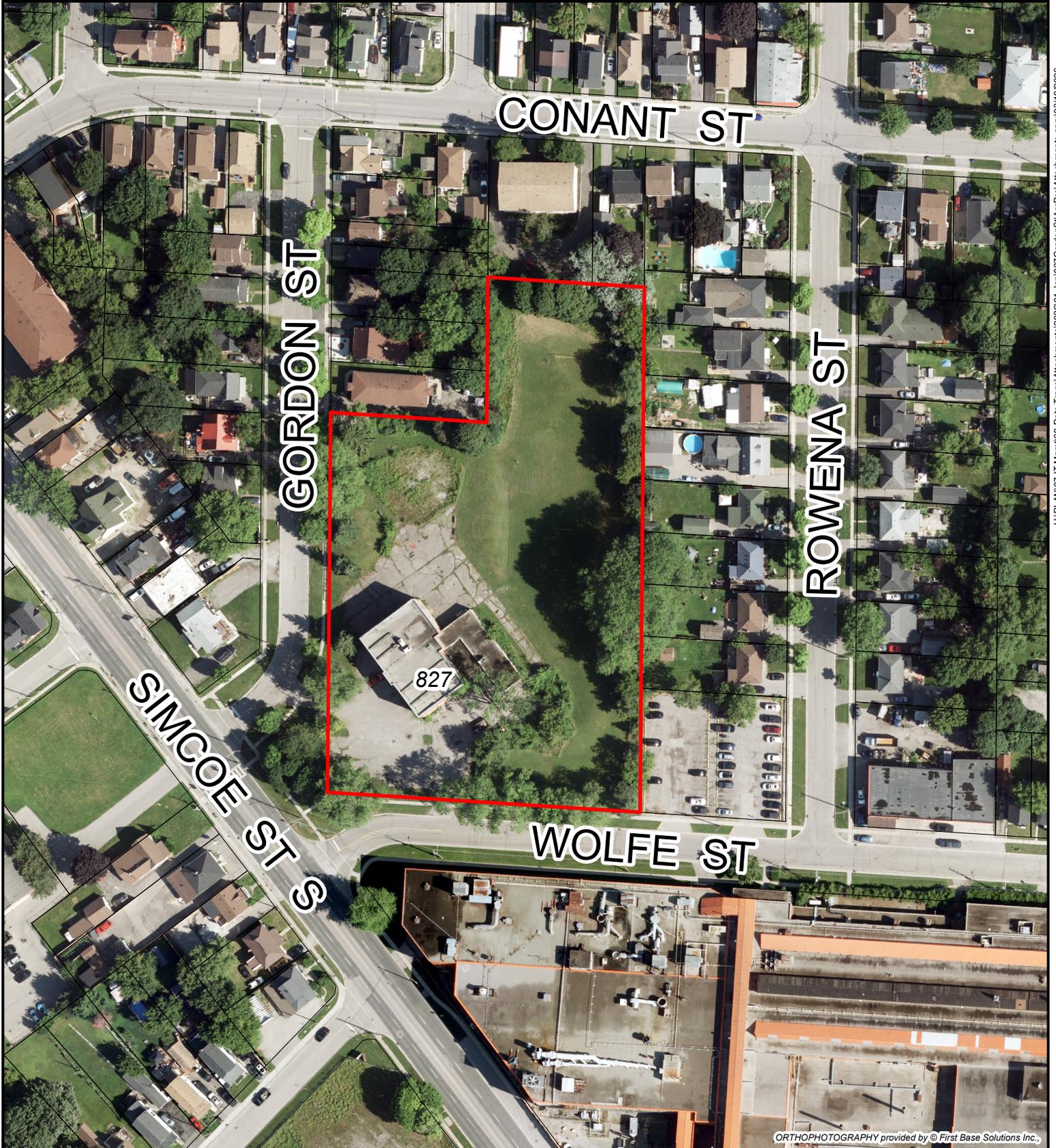
Title: Air Photo of Subject Site and Surrounding Area
Subject: Revised Application to Amend Zoning By-law 60-94,
Weston Consulting on behalf of 2835731 Ontario Inc.
Address: 827 Gordon Street
Ward: Ward 5
File: Z-2024-06

Item: ED-26-26
Attachment 2



 Subject Site

City of Oshawa
Economic and Development Services 



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Title: Original Proposed Site Plan submitted by the Applicant
 Subject: Revised Application to Amend Zoning By-law 60-94, Weston Consulting on behalf of 2835731 Ontario Inc.
 Address: 827 Gordon Street
 Ward: Ward 5
 File: Z-2024-06

City of Oshawa
 Economic and Development Services



Title: Revised Site Plan submitted by the Applicant
Subject: Revised Application to Amend Zoning By-law 60-94, Weston Consulting on behalf of 2835731 Ontario Inc.
Address: 827 Gordon Street
Ward: Ward 5
File: Z-2024-06

City of Oshawa
Economic and Development Services



List of Uses Requested to be Permitted at the Former Cedardale Public School

- (a) Art Gallery
- (b) Assembly Hall*
- (c) Business Office
- (d) Children's shelter *
- (e) Club, excluding a Nightclub *
- (f) Commercial School
- (g) Day Care Centre *
- (h) Elementary School *
- (i) Museum
- (j) Music Club
- (k) Personal Service Establishment
- (l) Place of Worship *
- (m) Private school *
- (n) Professional Office, excluding a Medical Office
- (o) Secondary School *
- (p) Studio

*These uses are already permitted in the existing CIN (Community Institutional) Zone

Title: Figures from Heritage Impact Assessment Identifying Portion of Existing Building to be Demolished

Item: ED-26-26
Attachment 6

Subject: Revised Application to Amend Zoning By-law 60-94,
Weston Consulting on behalf of 2835731 Ontario Inc.

Address: 827 Gordon Street

Ward: Ward 5

File: Z-2024-06

City of Oshawa
Economic and Development Services



NOTE: Areas shown shaded in red are additions to the original building and are proposed to be demolished.

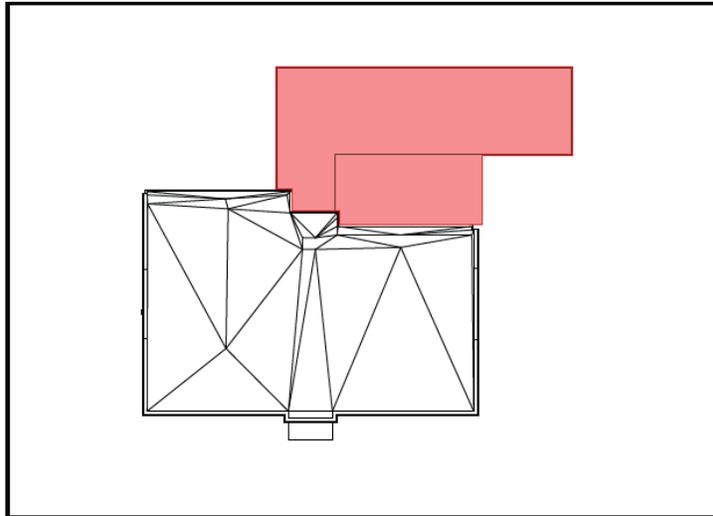


Figure 20: Roof plan of proposed demolition of rear annex. EVOQ.

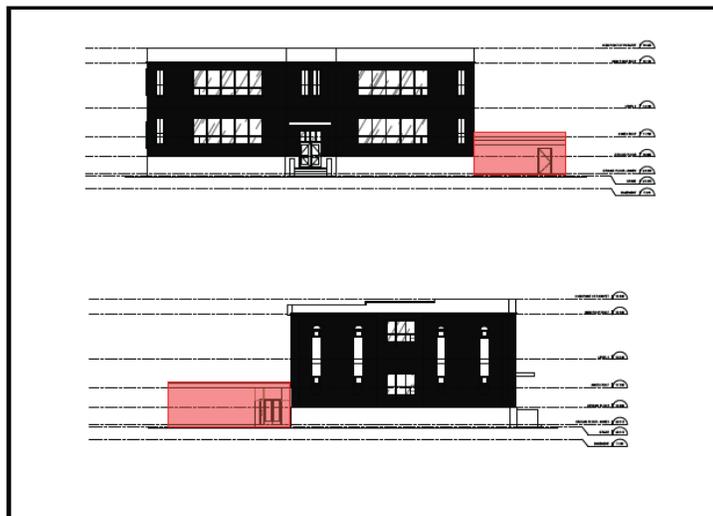


Figure 21: Southwest and northeast elevations of proposed demolition. EVOQ.

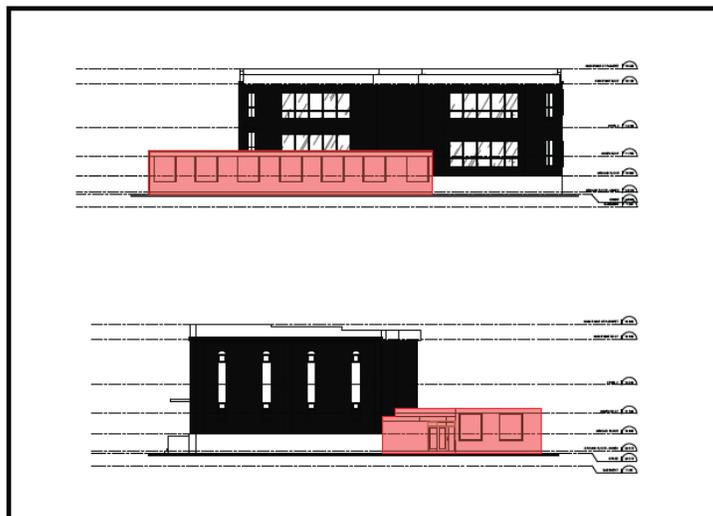


Figure 22: Northwest and southeast elevations of proposed demolition. EVOQ.

Excerpts from the Minutes of the Economic and Development Services Committee Meeting held on November 4, 2024

Application ED-24-120

Presentation

Weston Consulting - Application to Amend Zoning By-law 60-94, Weston Consulting on behalf of 2835731 Ontario Inc., 827 Gordon Street (Ward 5)

Kayly Robbins, Weston Consulting provided a presentation concerning an Application to Amend Zoning By-law 60-94 at 827 Gordon Street.

The Committee questioned Kayly Robbins, Weston Consulting.

Delegations

Lisa Boulton, AGS Automotive Systems - Report ED-24-120

Lisa Boulton, AGS Automotive Systems addressed the Economic and Development Services Committee concerning the application to amend Zoning By-law 60-94 at 827 Gordon Street stating possible concerns with noise and air quality in conjunction with AGS Automotive Systems and the height of the proposed stacked townhouses.

The Committee questioned Lisa Boulton, AGS Automotive Systems.

Bryanna Fretz - Report ED-24-120

Bryanna Fretz addressed the Economic and Development Services Committee concerning the application to amend Zoning By-law 60-94 at 827 Gordon Street stating concerns with the height of the proposed development, privacy and traffic patterns.

The Committee questioned Bryanna Fretz.

Luke Scott - ED-24-120

Luke Scott addressed the Economic and Development Services Committee concerning the application to amend Zoning By-law 60-94 at 827 Gordon Street stating concerns with noise and the current residents losing green space.

Correspondence

None

Reports

ED-24-120 - Application to Amend Zoning By-law 60-94, Weston Consulting on behalf of 2835731 Ontario Inc., 827 Gordon Street (Ward 5)

Moved by Councillor Chapman

That pursuant to Report ED-24-120 dated October 30, 2024, concerning the application submitted by Weston Consulting on behalf of 2835731 Ontario Inc. to amend Zoning By-law 60-94 (File: Z-2024-06) to permit the development of four (4) block townhouses and

63 apartment units (stacked townhouses) at 827 Gordon Street, staff be directed to further review and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

Motion Carried