

To: Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner,
Development Services Department

Report Number: DS-22-01

Date of Report: January 5, 2022

Date of Meeting: January 10, 2022

Subject: Applications to Amend the Oshawa Official Plan and Zoning
By-law 60-94, Dines Plaza Inc., 400 King Street West

Ward: Ward 4

File: OPA-2021-04, Z-2021-09

1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting on the applications submitted by D. G. Biddle and Associates Limited on behalf of Dines Plaza Inc. to amend the Oshawa Official Plan ("O.O.P.") and Zoning By-law 60-94 to permit a new 20-storey, mixed use commercial/residential building containing 245 apartment units and 659 square metres (7,094 sq. ft.) of commercial floor space on the ground floor at 400 King Street West (the "Subject Site"). The new building is proposed to vary in height between 4, 6, 8 and 20 storeys (see Attachment 2).

The applicant intends to register the proposed development as a condominium. If the subject applications to amend the O.O.P. and Zoning By-law 60-94 are 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 a copy of the proposed site plan submitted by the applicant showing the building sections that are 4, 6, 8 and 20 storeys in height.

Attachment 3 is a copy of the proposed ground floor plan submitted by the applicant.

Attachment 4 is a list of uses permitted in the PSC-A (Planned Strip Commercial) Zone.

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 notice was published in the Oshawa This Week newspaper and signs giving notice of the

applications have been posted on the Subject Site. The notice was also posted on the City's website and communicated through its Corporate Twitter and Facebook social media accounts.

Given the current COVID-19 pandemic and pursuant to the direction of Public Health Ontario, members of the public were invited to submit correspondence concerning this matter as in-person delegations are not possible at this time. Electronic delegations will be permitted provided delegates registered their intent to participate by 4:30 p.m. on January 5, 2022.

2.0 Recommendation

That, pursuant to Report DS-22-01 dated January 5, 2022, the applications submitted by Dines Plaza Inc. to amend the Oshawa Official Plan (File: OPA-2021-04) and Zoning By-law 60-94 (File: Z-2021-09) to permit the development of a 20-storey, mixed use commercial/residential building containing 245 apartment units and 659 square metres (7,094 sq. ft.) of commercial floor space on the ground floor at 400 King Street West be referred back to the Development Services Department for further review and the preparation of a subsequent report and recommendation. This referral does not constitute or imply any form or degree of approval.

3.0 Executive Summary

Not applicable.

4.0 Input from Other Sources

4.1 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.

5.0 Analysis

5.1 Background

The Subject Site is located on the east side of Gibbons Street between King Street West and Bond Street West, and is municipally known as 400 King Street West (see Attachment 1).

The following is background information concerning the subject applications:

| Item | Existing | Requested/Proposed |
|---|---|--|
| Oshawa Official Plan Designation | Planned Commercial Strip within the Downtown Main Central Area which permits a maximum residential density of 300 u/ha (120 u/ac.) | Planned Commercial Strip within the Downtown Main Central Area subject to a site specific policy to permit a maximum residential density of 642 units per net hectare (260 u/ac.) |
| Zoning By-law 60-94 | PSC-A (Planned Strip Commercial) | An appropriate PSC-A (Planned Strip Commercial) Zone to implement the proposed development with site specific conditions to permit certain performance standards such as increased residential density and building height and reduced required commercial and residential parking |
| Use | 1-storey commercial plaza with approximately 8 separate commercial units including restaurants, retail stores and personal service establishments | Mixed use commercial/residential building varying in height between 4, 6, 8 and 20 storeys containing 245 apartment units and 659 square metres (7,094 sq. ft.) of commercial floor space on the ground floor |

The following land uses are adjacent to the Subject Site:

- **North** Bond Street West, beyond which are single detached dwellings and apartment buildings
- **South** King Street West, beyond which are commercial uses including the Oshawa Centre shopping centre
- **East** A one-storey commercial plaza containing offices, personal service establishments and a payday loan establishment
- **West** Gibbons Street, beyond which are offices and a restaurant

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

| Site Statistics Item | Measurement |
|-----------------------------|--|
| Lot Frontage | King Street West – 54.8m (179.8 ft.) Bond Street West – 54.8m (179.8 ft.) Gibbons Street – 82.2m (269.7 ft.) |

| Site Statistics Item | Measurement |
|---|---|
| Gross Lot Area (inclusive of road widenings) | 0.463 ha (1.14 ac.) |
| Net Lot Area (exclusive of road widenings) | 0.382 ha (0.94 ac.) |
| Number of Proposed Apartment Units | 245 units: – 139 one-bedroom units – 60 two-bedroom units – 46 three-bedroom units (includes 4 grade-related townhouse-type units) |
| Maximum Net Residential Density Permitted in PSC-A Zone | 85 units per hectare (34 u/ac.) |
| Proposed Net Residential Density | 642 units per hectare (260 u/ac.) |
| Gross Floor Area of Commercial Uses | 659 sq. m. (7,094 sq. ft.) |
| Permitted Maximum Building Height in PSC-A Zone | 13.0m (42.6 ft.) |
| Proposed Building Heights | 4 storey section – 12m (39.4 ft.) 6 storey section – 17.6m (57.7 ft.) 8 storey section – 23.2m (76.1 ft.) 20 storey section – 61.8m (202.8 ft.) |
| Proposed Floor Space Index | 5.5 |
| Parking Spaces Required | Residential – 429 (1.45 per unit for residents plus 0.3 per unit for visitors) Commercial – 27 (1.0 per 24 sq. m. of gross floor area) Total: 456 |
| Parking Spaces Provided | Residential – 339 (1.13 per unit for residents plus 0.25 per unit for visitors) Commercial – 0 (the applicant proposes to provide combined parking for commercial uses and residential visitors) Total: 339 |

5.2 Oshawa Official Plan

The Subject Site is designated as Planned Commercial Strip within the Downtown Main Central Area in the O.O.P.

The O.O.P. specifies, in part, that mixed commercial-residential developments may be permitted within areas designated as Planned Commercial Strip subject to the inclusion of appropriate policies in the zoning by-law and any other relevant policies of the O.O.P.

The O.O.P. further specifies, in part, that the portion of the Downtown Main Central Area outside of the Downtown Oshawa Urban Growth Centre will function in a complementary capacity but generally at a smaller scale than the Downtown Oshawa Urban Growth Centre, with a reciprocal emphasis on major office, retail, business, personal and

administrative services, residential, institutional, recreational, cultural and entertainment uses. Development of these lands shall be planned to support an overall long-term density target of at least 75 residential units per gross hectare (30.35 residential units/gross ac.) and a Floor Space Index of 2.5.

The O.O.P. contains policies which establish various density types and provide general locational criteria for such densities. The residential density type related to the proposed development is greater than the High Density II Residential density type. Nevertheless, the locational criteria for High Density II Residential development will be reviewed to assist in the analysis of the proposal.

Table 2, Residential Density Classification, in the O.O.P. is a guideline that indicates that uses in the High Density II Residential category, which generally permits 150 to 300 units per hectare (60 to 120 u/ac.) in locations other than within the Downtown Oshawa Urban Growth Centre, are subject to the following general locational criteria:

- (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 Area, Sub-Central Area and Community Central Areas or Regional Corridors.
- (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 proposed mixed-use commercial/residential development at 400 King Street West would have a net residential density of approximately 642 units per hectare (260 u/ac.) which is greater than the High Density II Residential classification. This density is more aligned with the density objectives associated with the Downtown Oshawa Urban Growth Centre which include a maximum density of 550 units per hectare (222 u/ac.). Accordingly, the proposed density is not permitted within the Downtown Main Central Area designation. Therefore, an amendment to the O.O.P. is required.

King Street West and Bond Street West are designated as Type 'B' Arterial Roads on Schedule "B", Road Network, of the O.O.P., and as Regional Transit Spines on Schedule "B-1", Transit Priority Network, of the O.O.P.

Gibbons Street is designated as a Collector Road on Schedule "B", Road 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.

5.3 Zoning By-law 60-94

The Subject Site is zoned PSC-A (Planned Strip Commercial) (see Attachment 1).

The PSC-A Zone permits a range of residential, commercial and institutional uses including, but not limited to, apartment buildings, block townhouses, day care centres, financial institutions, flats, hotels, offices, personal service establishments, restaurants, retail stores, retirement homes and commercial and private schools (see Attachment 4).

A mixed use commercial/residential building is permitted in the PSC-A Zone subject to compliance with regulations on such matters as maximum density, maximum height and minimum parking. The maximum building height permitted in the PSC-A Zone is 13 metres (42.6 ft.) and the maximum residential density permitted is 85 units per hectare. The minimum required parking for the proposed building is 456 spaces.

The applicant has submitted an application to amend Zoning By-law 60-94 to rezone the Subject Site to an appropriate PSC-A (Planned Strip Commercial) Zone subject to a special condition to permit the proposed building varying in height between 4, 6, 8 and 20 storeys with 245 apartment units and 659 square metres (7,093 sq. ft.) of commercial floor space on the ground floor. In order to implement the proposed building/site design, special regulations are proposed such as increased residential density and building height and reduced required parking.

The applicant has requested reduced parking for residents, visitors and commercial uses. More specifically, the applicant proposes to provide shared parking for the commercial uses and residential visitors. A total of 62 spaces are proposed for commercial uses and residential visitors, whereas Zoning By-law 60-94 requires 74 spaces for residential visitors and 27 spaces for the commercial floor space (101 spaces).

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

5.4 Site Design/Land Use Considerations

The applicant proposes to develop a new 20-storey mixed-use commercial/residential building with 245 apartment units and 659 square metres (7,094 sq. ft.) of commercial floor space on the ground floor (see Attachments 2 and 3). The proposed building varies in height between 4, 6, 8 and 20 storeys (see Attachment 2).

The proposed building includes parking on the ground floor, two levels of underground parking and three levels of above ground parking incorporated into the 4-storey base of the building. Although parking is proposed on the ground floor and the second, third and fourth floors, these floors also feature commercial and residential units along the north, west and south exterior sides of the building facing onto Bond Street West, Gibbons Street and King Street West, respectively. Driveway ingress and egress to the Subject Site will be from Gibbons Street. In addition, a driveway access from Bond Street West along the north side of the Subject Site is proposed for loading and refuse collection. No driveways are proposed from King Street West.

The proposed building also includes the following features:

- A 1,005 square metre (10,817 sq. ft.) rooftop garden/amenity area on the 5th floor (roof of 4th floor);
- A 306 square metre (3,294 sq. ft.) indoor amenity room on each of the 5th and the 6th floors;
- Green roofs on the roofs of floors 6 and 8; and,

- Balconies for all units, save and except for the four grade-related townhouse-type apartment units, which each feature an at-grade private amenity area.

In support of the proposed site design/development, the applicant has submitted a variety of plans and documents including a site plan, floor plan, building elevations, planning justification report, shadow study, grading plan, servicing plan, functional servicing and stormwater management report, landscape plan, transportation and parking study, geotechnical investigation, airport assessment and environmental site assessments.

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 building height and residential density at this location;
- (b) The appropriateness of the proposed zoning regulations including the proposed parking rate;
- (c) Site/building design matters including driveway access, parking, refuse storage and collection, loading, building architecture, fire access and landscaping;
- (d) The impacts of proposed building shadows and wind;
- (e) Noise attenuation;
- (f) Servicing and stormwater management matters;
- (g) Transportation considerations;
- (h) The environmental condition of the site given the current commercial use; and,
- (i) Crime Prevention Through Environmental Design matters.

6.0 Financial Implications

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

7.0 Relationship to the Oshawa Strategic Plan

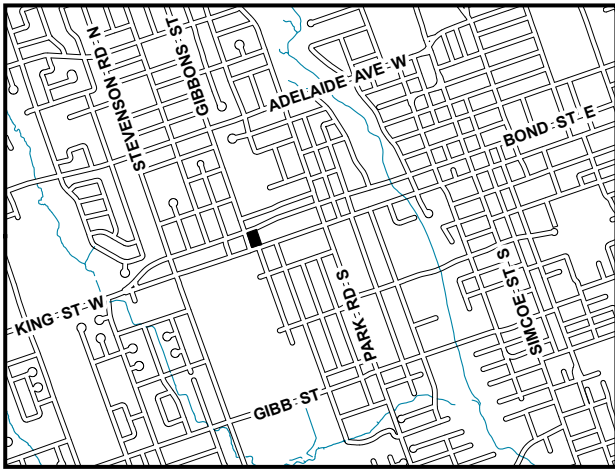
Holding a public meeting on development applications advances the Accountable Leadership Goal of the Oshawa Strategic Plan.

A handwritten signature in blue ink, appearing to read "Tom Goodeve".

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

A handwritten signature in blue ink, appearing to read "Warren Munro".

Warren Munro, HBA, RPP, Commissioner,
Development Services Department



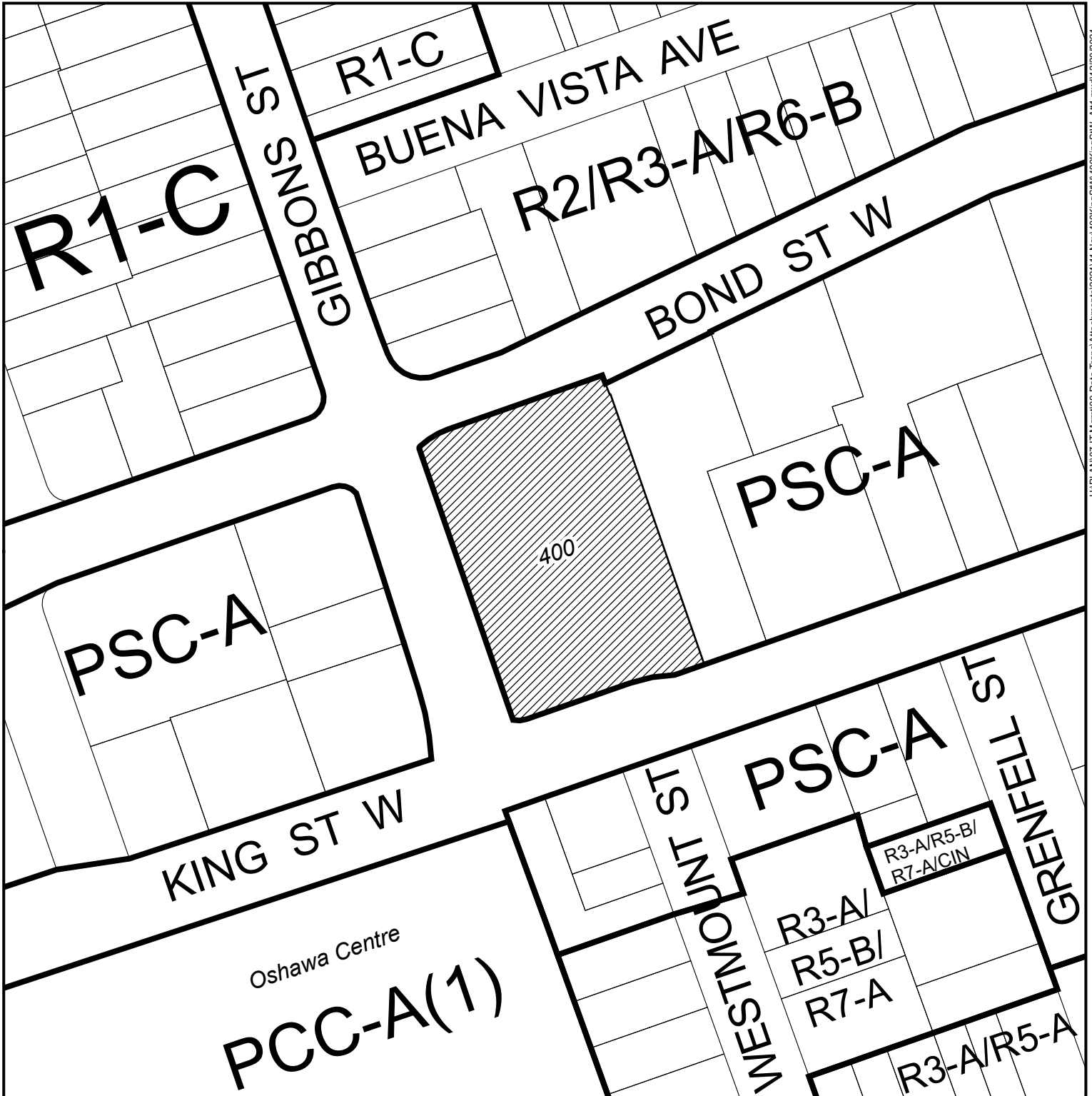
Item: DS-22-01
Attachment 1

Development Services Department

Subject: Applications to Amend the Oshawa Official Plan
and Zoning By-law 60-94, Dines Plaza Inc.
Address: 400 King Street West
Ward: Ward 4
File: OPA-2021-04, Z-2021-09



Subject Site



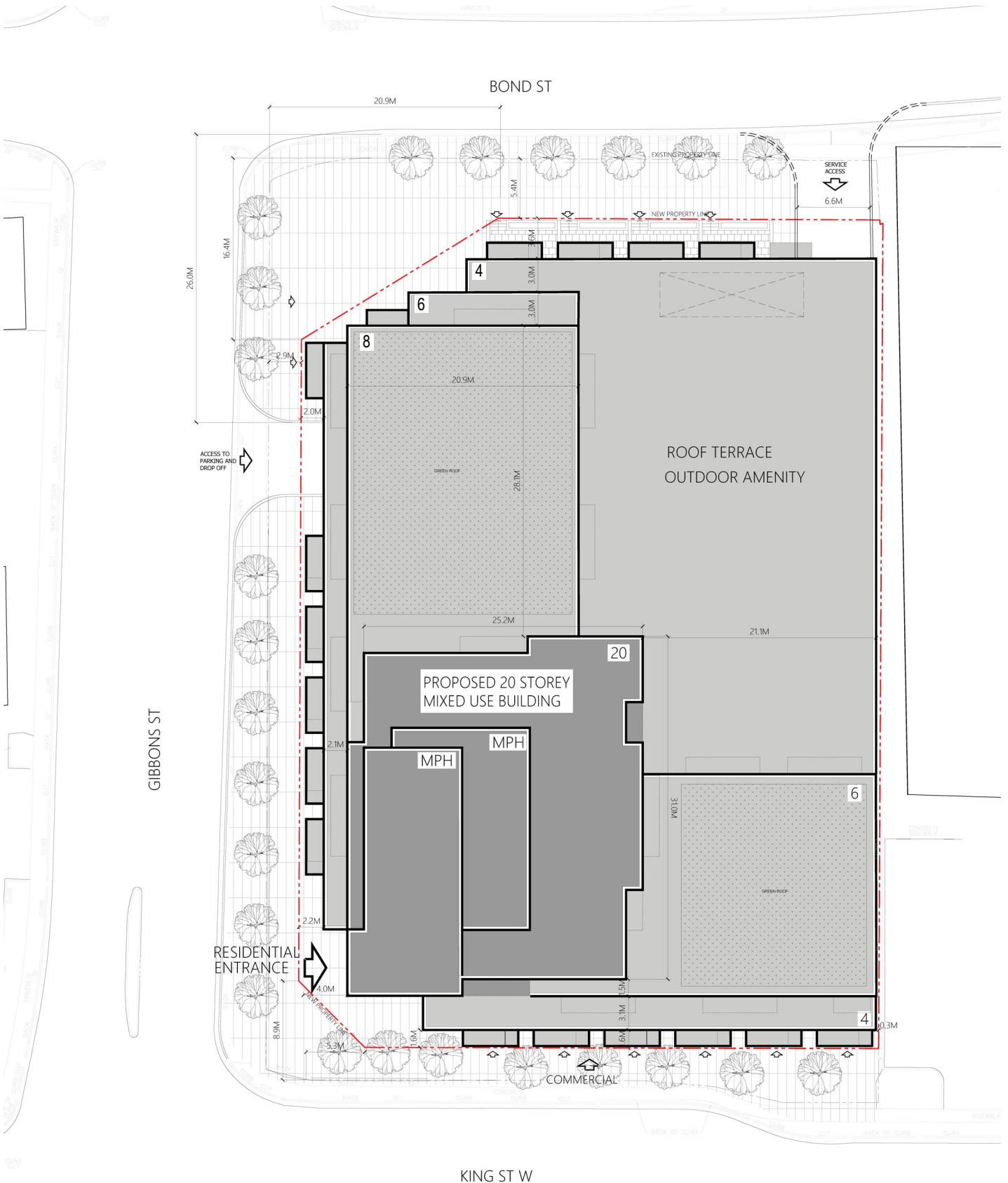
Title: Applicant Submission - Proposed Site Plan

Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Dines Plaza Inc.

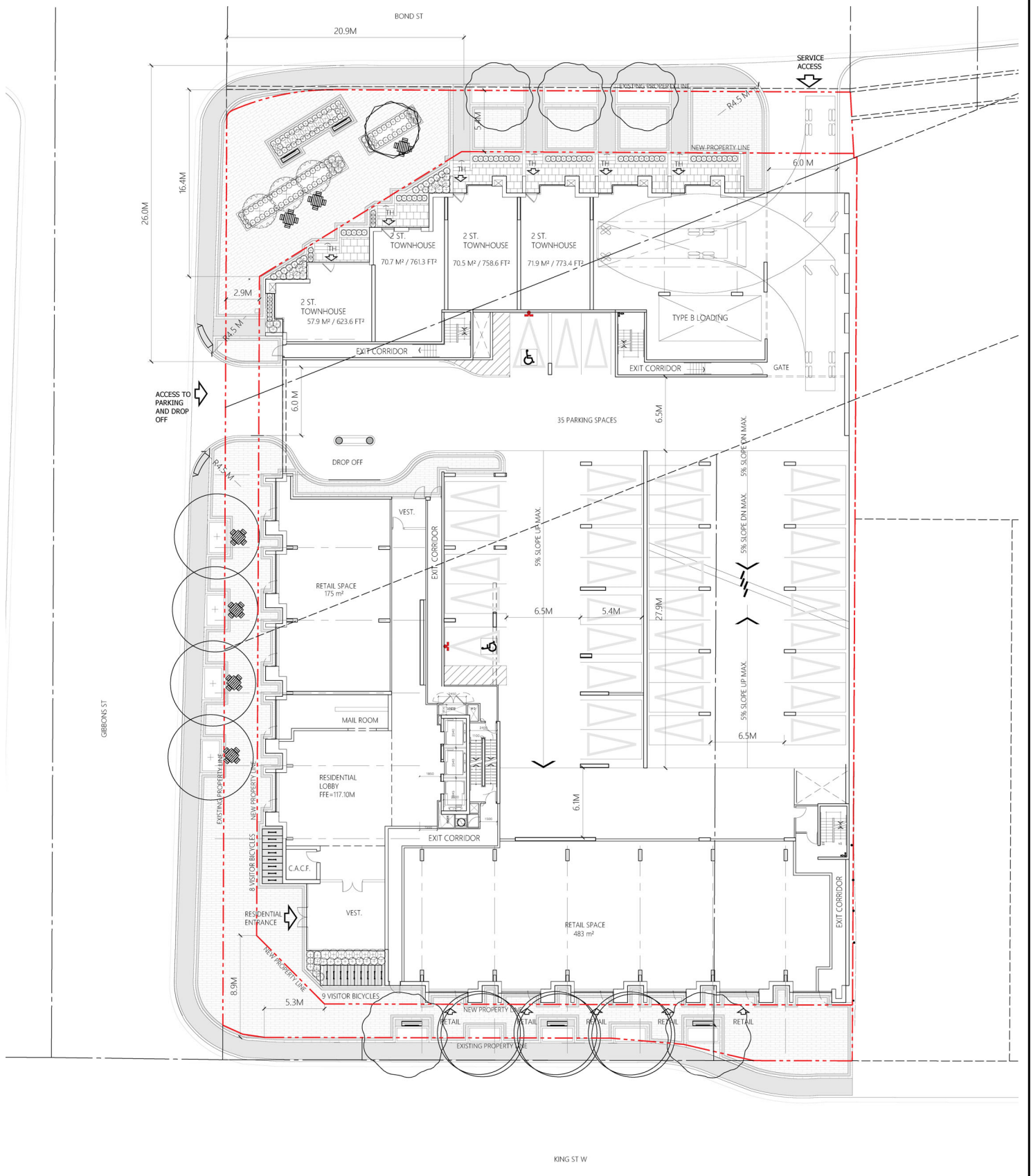
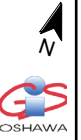
Address: 400 King Street West

Ward: Ward 4

File: OPA-2021-04, Z-2021-09



Title: Applicant Submission - Proposed Ground Floor Plan
Subject: Applications to Amend the Oshawa Official Plan and Zoning By-law 60-94, Dines Plaza Inc.
Address: 400 King Street West
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File: OPA-2021-04, Z-2021-09



List of Permitted Uses in the PSC-A (Planned Strip Commercial) Zone:

- (a) Animal hospital
- (b) Apartment building
- (c) Art gallery
- (d) Auction establishment
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (g) Automobile sales and service establishment
- (h) Block townhouse
- (i) Brew your own operation
- (j) Church
- (k) Cinema
- (l) Club
- (m) Commercial recreation establishment, except a billiard hall
- (n) Commercial school
- (o) Craft Brewery
- (p) Crisis care residence
- (q) Day care centre
- (r) Financial institution
- (s) Flat
- (t) Funeral home
- (u) Hotel
- (v) Lodging house
- (w) Long Term Care Facility
- (x) Merchandise service shop
- (y) Museum
- (z) Nursing home
- (aa) Office
- (bb) Outdoor storage accessory to a permitted use in the PSC-A Zone
- (cc) Peddle
- (dd) Personal service establishment
- (ee) Printing establishment
- (ff) Private School
- (gg) Restaurant
- (hh) Retail store
- (ii) Retirement home
- (jj) Studio
- (kk) Tavern
- (ll) Taxi establishment
- (mm) Theatre