

To: Council in Committee of the Whole

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

Report Number: CNCL-20-77

Date of Report: May 20, 2020

Date of Meeting: May 25, 2020

Subject: Revised Applications to Amend Zoning By-law 60-94 and for  
Approval of a Draft Plan of Subdivision (S-O-2014-06),  
Between Ritson Road North and Wilson Road North, North of  
Britannia Avenue East, Menkes Oshawa Holdings Ltd.

File: S-O-2014-06, Z-2015-04

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## **1.0 Purpose**

The purpose of this report is to provide a recommendation on the revised applications submitted by Menkes Oshawa Holdings Ltd. (the “Applicant”) to amend Zoning By-law 60-94 and for approval of a draft plan of subdivision (S-O-2014-06) to permit 24 blocks to accommodate up to 185 single detached dwellings, six blocks to accommodate up to 135 street townhouse dwellings, three medium density blocks to accommodate up to 499 apartment, block townhouse and/or back-to-back townhouse dwellings, one medium density block to accommodate up to 39 block townhouse and/or back-to-back townhouse dwellings, a Public Elementary School block, a Separate Elementary School block, a neighbourhood park block, a parkette block, two open space blocks that include easements for pipelines operated by Enbridge and TransCanada, two walkway blocks, a landscape buffer block, a landscape grading block, a road widening block, and new arterial and local roads located between Ritson Road North and Wilson Road North, north of Britannia Avenue East.

At the time of submission of the subject applications and the February 29, 2016 public meeting, the Applicant did not own 2475 Ritson Road North. The Applicant has since acquired the property. The property is part of the area designated for development of a public elementary school in the Kedron Part II Plan. Although the Applicant did not own 2475 Ritson Road North at the time of the February 29, 2016 public meeting, the Applicant included the lands in their Zoning By-law Amendment application in order that the lands would be zoned consistently with the adjacent lands in the draft plan of subdivision to permit a public elementary school and potential alternative residential uses. Now that the Applicant has acquired 2475 Ritson Road North, the property has been included in the revised proposed draft plan of subdivision as part of Block 401 for a public elementary school.

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 original draft plan of subdivision S-O-2014-06 submitted by the Applicant and presented at the February 29, 2016 public meeting.

Attachment 3 is a copy of the revised draft plan of subdivision S-O-2014-06 submitted by the Applicant to address certain technical matters.

Attachment 4 is a copy of Schedule 'A', Kedron Land Use and Road Plan, from the Kedron Part II Plan.

Attachment 5 is a copy of the recommended conditions of draft approval for draft plan of subdivision S-O-2014-06.

On February 29, 2016, a public meeting was held with respect to the subject applications. At the conclusion of the public meeting, the Development Services Committee adopted a recommendation to refer the applications back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the public meeting form Attachment 6 to this report.

Subsequent to the February 29, 2016 public meeting, the Applicant revised the subject development proposal. The key differences between the proposal considered at the public meeting (see Attachment 2) and the revised proposal (see Attachment 3) are as follows:

- The range in number of potential single detached dwelling lots has been reduced from 186-232 to 148-185.
- The range in number of potential street townhouse dwellings has expanded from 84-101 to 68-135.
- Block townhouses and apartments have been added as proposed uses in addition to back-to-back townhouses in the Medium Density II Residential blocks on the south side of Street L (Blocks 301, 302 and 303) (a back-to-back townhouse is a type of block townhouse).
- The area on the north side of the open space/pipeline corridor, east of the Hydro One corridor, designated for medium density residential purposes, has been divided into a Medium Density I Residential block for block townhouse and back-to-back townhouse dwellings (Block 304), a Medium Density II Residential block for apartment, block townhouse and/or back-to-back townhouse dwellings (Block 302) and a Walkway block (Block 408). The plan presented at the February 29, 2016 public meeting showed these lands combined as a single block for back-to-back townhouses. The new Walkway block connects Street B and the Open Space/Pipeline corridor to provide convenient pedestrian access between Street B and Parkette Block 404, beyond which is Street M.

- A Walkway block (Block 407) has been added connecting Street D and Open Space/Pipeline block (Block 405) to provide pedestrian access between Street D and Street L.
- The configuration of the road network south of Street A and west of the Hydro Corridor has been revised to address certain technical matters.
- The shape of the Parkette block (Block 404) and the configuration of the road network south of the Open Space/Pipeline block (Block 406) and east of the Hydro Corridor have been revised to address certain technical issues.
- The configuration of the Open Space/Pipeline block west of the Hydro One corridor (Block 405) has been revised to match the boundary of the TransCanada and Enbridge pipeline easements. Consequently, the shape of the Public Elementary School block (Block 401) has been revised to remove a portion of the pipeline easements.
- The configuration of the Separate Elementary School block (Block 402) has been revised at the request of the Durham Catholic District School Board. This has resulted in a reconfiguration of the abutting Medium Density II Residential block (Block 303).
- Block townhouse dwellings have been added as an alternative use on the Separate Elementary School block (Block 402) in addition to single detached dwellings and street townhouse dwellings.
- The Applicant has acquired 2475 Ritson Road North and has incorporated it into the Public Elementary School block (Block 401). This has resulted in a corresponding increase in the area of the draft plan from 33.759 hectares (83.4 ac.) to 33.982 hectares (84 ac.).
- Street townhouse dwellings are no longer proposed as an alternative use on the Public Elementary School block (Block 401). Single detached dwellings are now the only alternative use proposed.

## **2.0 Recommendation**

It is recommended to City Council:

1. That, pursuant to Report CNCL-20-77 dated May 20, 2020, the revised application submitted by Menkes Oshawa Holdings Ltd. to amend Zoning By-law 60-94 (File: Z-2015-04) to implement a revised draft plan of subdivision (File: S-O-2014-06) generally located between Ritson Road North and Wilson Road North, north of Britannia Avenue East, be approved generally in accordance with the comments contained in said Report and that the necessary by-law be passed in a form and content acceptable to the Commissioner of Development Services and Legal Services.
2. That, pursuant to Report CNCL-20-77 dated May 20, 2020, the revised application submitted by Menkes Oshawa Holdings Ltd. for a draft plan of subdivision (File: S-O-2014-06) featuring 24 blocks to accommodate up to 185 single detached dwellings, six blocks to accommodate up to 135 street townhouse dwellings, three medium

density blocks to accommodate up to 499 apartment, block townhouse and/or back-to-back townhouse dwellings, one medium density block to accommodate up to 39 block townhouse and/or back-to-back townhouse dwellings, a Public Elementary School block, a Separate Elementary School block, a neighbourhood park block, a parkette block, two open space blocks that include easements for pipelines operated by Enbridge and TransCanada, two walkway blocks, a landscape buffer block, a landscape grading block, a road widening block, and new arterial and local roads be approved, subject to the conditions as generally set out in Attachment 5 of said Report.

3. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-16-32 dated February 24, 2016 presented at the public meeting of February 29, 2016 differs to some degree from the proposed amendment recommended to be approved by City Council, pursuant to Part I of this recommendation, such differences are not substantial enough to require further notice and another public meeting.
4. That the Commissioner of Development Services be authorized to execute any agreements with Hydro One and/or the Ontario Infrastructure and Lands Corporation for the construction and maintenance of trails and related infrastructure in the Hydro One corridor and the conveyance of lands to the City for roads related to Draft Plan of Subdivision S-O-2014-06.

### **3.0 Executive Summary**

This Department recommends that the revised applications to amend Zoning By-law 60-94 and for approval of a revised draft plan of subdivision submitted by Menkes Oshawa Holdings Ltd. be approved.

The revised applications will advance a new residential development that can be designed to be compatible with existing and planned surrounding development and represents good planning and is consistent with Provincial, Regional and City policies.

### **4.0 Input From Other Sources**

#### **4.1 Other Departments and Agencies**

No department or agency that provided comments has any objection to the subject applications. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the further processing of the applications, if the applications are approved.

#### **4.2 Public Comments**

The minutes of the February 29, 2016 public meeting concerning the subject applications form Attachment 6 to this Report.

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

**Cost Sharing:**

A representative of Conlin (Oshawa) 130 Acres Inc. (Sorbara Group) which owns certain lands to the east, across the unimproved Wilson Road North road allowance, submitted comments requesting a condition of approval requiring equitable cost sharing between the Applicant and Sorbara Group for the construction cost of Wilson Road North, adjacent to draft plan of S-O-2014-06.

**Staff Response:**

Appropriate conditions have been included in the recommended conditions of draft approval for the subject draft plan of subdivision (see Attachment 5) to address cost sharing for the construction of Wilson Road North and the roundabout at Wilson Road North and Street L. The Applicant agrees with these conditions.

## **5.0 Analysis**

### **5.1 Background**

The subject site is generally located between Ritson Road North and the future Wilson Road North extension, north of the future Britannia Avenue East easterly extension (see Attachment 1). The subject site is bisected by a Hydro One corridor running north-south which is not owned by the Applicant or the City.

The following is background information concerning the subject applications:

<b>Item</b>	<b>Existing</b>	<b>Requested/Proposed</b>
<b>Oshawa Official Plan Designation</b>	Residential and Open Space and Recreation	No change
<b>Kedron Part II Plan Designation</b>	Low Density Residential, Medium Density I Residential, Medium Density II Residential, Medium Density II Residential subject to Policy 8.7.4.9, Public Elementary School, Separate Elementary School, Neighbourhood Park, Parkette, Open Space and Recreation, Type 'C' Arterial Road, Class I and II Trails	No change
<b>Zoning By-law 60-94</b>	AG-A (Agricultural)	Appropriate Residential, Community Institutional, and Open Space Zones subject to special zoning regulations to implement

Item	Existing	Requested/Proposed
		the revised proposed draft plan of subdivision
<b>Use</b>	Agricultural and a single detached dwelling known municipally as 2475 Ritson Road North	Single detached dwellings, street townhouse dwellings, back-to-back townhouse dwellings, block townhouse dwellings, apartments, a Public Elementary School block, a Separate Elementary School block, a neighbourhood park block, a parkette block, various open space, walkway and landscape blocks, a road widening block, and new arterial and local roads

The following land uses are adjacent to the subject site:

- North      Agricultural land owned by the Applicant. Certain lands directly north of the future Type 'C' Arterial Road (Street L in the draft plan) are designated as Industrial in the Oshawa Official Plan (O.O.P.), beyond which are lands designated as Open Space and Recreation and Prime Agricultural. A telecommunication tower is currently proposed by Bell on the Industrially designated portion of the lands owned by the Applicant.
- South      Agricultural land; however, a draft plan of subdivision (File S-O-2014-02) has been submitted by 1662857 Ontario Limited (Nideva) for the development of these lands.
- East      The unimproved Wilson Road North road allowance, beyond which is agricultural land.
- West      Ritson Road North, beyond which are single detached dwellings, Kedron Dells Golf Course and the TransCanada and Enbridge pipeline corridors.

The following are the proposed development details for the subject site:

Site Statistics Item	Measurement
Gross Area of Draft Plan	33.982 ha (84 ac.)
Net Residential Area of Single Detached Dwelling Lots (Blocks 1 to 24)	6.190 ha (15.3 ac.)
Number of Proposed Single Detached Dwelling Lots	148 to 185
Net Residential Density Range of Single Detached Dwellings	Minimum 24 u/ha (10 u/ac.) Maximum 30 u/ha (12 u/ac.)

<b>Site Statistics Item</b>	<b>Measurement</b>
Minimum Lot Frontage of Proposed Single Detached Dwelling Lots	9.0m (29.5 ft.)
Range of Single Detached Dwelling Lot Frontages	<ul style="list-style-type: none"> <li>▪ Between 9m and 10.9m (29.5 to 35.8 ft.): minimum 36 lots</li> <li>▪ Between 11.0m to 11.9m (36 ft. to 39 ft.): minimum 18 lots</li> <li>▪ Greater than 11.9m (39 ft.): minimum 36 lots</li> </ul>
Net Residential Area of Street Townhouse Blocks (Blocks 201 to 206)	2.258 ha (5.6 ac.)
Range of Number of Proposed Street Townhouse Dwellings	68 to 135
Net Residential Density Range of Street Townhouse Dwellings	Minimum 30 u/ha (12 u/ac.) Maximum 60 u/ha (24 u/ac.)
Net Residential Area of Medium Density I Residential Block (Block 304)	0.656 ha (1.62 ac.)
Number of Proposed Residential Units in the Medium Density I Residential Block (Block 304)	20 to 39
Net Residential Density of Medium Density I Residential Block (Block 304)	Minimum 30 u/ha (12 u/ac.) Maximum 60 u/ha (24 u/ac.)
Net Residential Area of Medium Density II Residential Blocks (Blocks 301, 302 and 303)	5.876 ha (14.5 ac.)
Number of Proposed Residential Units (apartment, back-to-back townhouse and/or block townhouse dwellings) in the Medium Density II Residential Blocks (Blocks 301, 302 and 303)	353 to 499
Net Residential Density of Medium Density II Residential Blocks (Blocks 301, 302 and 303)	Minimum 60 u/ha (24 u/ac.) Maximum 85 u/ha (34 u/ac.)
Area of Public Elementary School (Block 401)	3.215 ha (7.9 ac.)
Area of Separate Elementary School (Block 402)	2.302 ha (5.7 ac.)
Area of Neighbourhood Park (Block 403)	1.8 ha (4.45 ac.)
Area of Parkette (Block 404)	0.8 ha (2.0 ac.)
Area of Open Space Blocks (Blocks 405 and 406)	2.819 ha (7.0 ac.)
Area of Walkway Blocks (Blocks 407 and 408)	0.04 ha (0.1 ac.)
Area of Road Widening (Block 409)	0.209 ha (0.5 ac.)
Area of Landscape Buffer Block (Block 410)	0.019 ha (0.047 ac.)
Area of Landscape Grading Block (Block 411)	0.042 ha (0.1 ac.)

## **5.2 Oshawa Official Plan and Kedron Part II Plan**

The subject lands are designated Residential and Open Space and Recreation in 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. also states that lands designated as Open Space and Recreation within Oshawa's Major Urban Area shall be predominately used for recreation, conservation, reforestation, cemeteries, allotment gardens, community gardens, nursery gardening, existing golf courses and campgrounds. These uses shall have regard for the natural environment and be compatible with their surroundings. Where appropriate, areas designated as Open Space and Recreation shall provide opportunities for physical activity, such as walking and cycling, including connections in support of the City's active transportation network.

In the Kedron Part II Plan the subject lands are designated as Low Density Residential, Medium Density I Residential, Medium Density II Residential, Medium Density II Residential subject to Policy 8.7.4.9 in the Kedron Part II Plan, Public Elementary School, Separate Elementary School, Neighbourhood Park, Parkette, Open Space and Recreation, and Type 'C' Arterial Road. A Class I Trail, which has a minimum pavement width of 4.0 metres (13.1 ft.), is shown running north-south along the Hydro One corridor which bisects the proposed plan of subdivision but which is not owned by the Applicant or City. A Class II Trail, which has a minimum pavement width of 3.0 metres (9.8 ft.), is shown running northwest-southeast along the corridor containing the TransCanada and Enbridge pipelines (and through the Hydro One corridor where the trail crosses the corridor).

The Low Density Residential designation generally includes such uses as single detached, semi-detached and duplex dwellings at a density of up to 30 units per hectare (12 u/ac.). In addition, Policy 8.7.4.4 of the Kedron Part II Plan specifies that notwithstanding any other provisions of the Part II Plan of the Part I Plan to the contrary, the minimum net residential density for Low Density Residential areas shall be 24 units per hectare (10 u/ac.).

The Medium Density I Residential designation generally includes such uses as single detached, semi-detached, duplex and townhouse dwellings at a density of up to 60 units per hectare (24 u/ac.). However, Policy 8.7.4.5 of the Kedron Part II Plan explicitly states that single detached dwellings shall not be permitted in areas designated as Medium Density I Residential.

The Medium Density II Residential designation generally includes uses such as townhouses, low rise apartments and medium rise apartments at a density of up to 85 units per hectare (34 u/ac.). Further, the Medium Density II Residential designation adjacent to Ritson Road North as it relates to the subject applications is also subject to Policy 8.7.4.9 of the Kedron Part II Plan, which states that these lands may be developed at the Medium Density I Residential density range, in accordance with Policy 2.3 of the Part I Plan and Policy 8.7.4.5 of the Kedron Part II Plan.



The Kedron Part II Plan specifies that Neighbourhood Parks shall have a minimum site area of approximately 1.8 hectares (4.5 ac.) and that Parkettes shall have a minimum site area of approximately 0.6 hectares (1.5 ac.).

Within the context of the Kedron Part II Plan, the Open Space and Recreation designation is intended to achieve a linked open space and natural heritage system. The City requires the conveyance of lands designated as Open Space and Recreation on Schedule "A", Kedron Land Use and Road Plan, of the Kedron Part II Plan.

The road system shown in the Kedron Part II Plan abutting the subject lands designates Ritson Road North as a Type 'B' Arterial Road and Wilson Road North as a Type 'C' Arterial Road. The proposed roads within the subject draft plan of subdivision include Street L as part of a new east-west Type 'C' Arterial Road, as well as other local roads.

The Kedron Part II Plan states that an Official Plan Amendment is not required to use either the public elementary school site or the separate elementary school site for Low Density Residential or Medium Density I Residential uses, provided the site is not needed for either the intended public or separately elementary schools or other community uses.

The subject applications conform to the O.O.P. and the Kedron Part II Plan.

### **5.3 Zoning By-law 60-94**

The subject lands, including 2475 Ritson Road North, are currently zoned AG-A (Agricultural). The following uses are permitted in the AG-A Zone:

- (a) Accessory retail stands for the sale of seasonal produce, produced on the farm;
- (b) Agricultural uses including a maximum of one farm dwelling;
- (c) One single detached dwelling on an existing lot or on a lot created by consent; and,
- (d) Riding stable.

The Applicant proposes to amend Zoning By-law 60-94 to implement the proposed draft plan of subdivision. The proposed zoning amendment would:

- Rezone the area of the proposed single detached dwelling lots (Blocks 1 to 24) from AG-A (Agricultural) to an appropriate R1 (Residential) Zone including special regulations related to minimum lot area, minimum front yard depth, minimum interior and exterior side yard depths, minimum rear yard depth, maximum lot coverage, maximum building height and maximum encroachments of unenclosed porches, decks, steps, ramps and fruit cellars in the required exterior side yard;
- Rezone the proposed street townhouse blocks (Blocks 201 to 206) from AG-A (Agricultural) to an appropriate R3-A (Residential) Zone including special regulations related to minimum lot frontage, minimum lot area, minimum exterior side yard depth, minimum rear yard depth, maximum lot coverage, maximum building height and maximum encroachments of unenclosed porches, decks, steps, ramps and fruit cellars in the required exterior side yard;

- Rezone the proposed Medium Density I Residential block (Block 304) from AG-A (Agricultural) to an appropriate R4-A (Residential) Zone to permit back-to-back and block townhouses including special regulations related to minimum front yard depth, minimum exterior side yard depth, minimum rear yard depth, minimum density, maximum building height, minimum building setback to the pipeline easement, maximum encroachment of fruit cellars in the required exterior side yard, and location of parking;
- Rezone the proposed Medium Density II Residential blocks (Blocks 301 to 303) from AG-A (Agricultural) to appropriate R4-A/R6-B (Residential) Zones to permit back-to-back townhouse and block townhouse dwellings, apartment buildings, long term care facilities, nursing homes and retirement homes including special regulations related to minimum front yard depth, minimum exterior side yard depth, minimum interior side yard depth, minimum rear yard depth, minimum and maximum density, maximum encroachments of unenclosed porches, decks, steps, ramps and fruit cellars in the required exterior side yard, tandem parking for individual stacked townhouse units, and location of parking;
- Rezone the proposed Public Elementary School block (Block 401) from AG-A (Agricultural) to an appropriate CIN/R1 (Community Institutional/Residential) Zone including special regulations for the R1 Zone related to minimum lot area, minimum front yard depth, minimum interior and exterior side yard depths, minimum rear yard depth, maximum lot coverage, maximum building height and maximum encroachments of unenclosed porches, decks, steps, ramps and fruit cellars in the required exterior side yard;
- Rezone the proposed Separate Elementary School block (Block 402) from AG-A (Agricultural) to an appropriate CIN/R1/R3/R4 (Community Institutional/Residential) Zone including special regulations for the R1, R3 and R4 Zones related to minimum lot area, minimum front yard depth, minimum interior and exterior side yard depths, minimum rear yard depth, maximum lot coverage, maximum building height, minimum density, maximum encroachments of unenclosed porches, decks, steps, ramps and fruit cellars in the required exterior side yard;
- Rezone the proposed Neighbourhood Park and Parkette blocks (Blocks 403 and 404, respectively) from AG-A (Agricultural) to an OSP (Park Open Space) Zone;
- Rezone the proposed Open Space blocks (Blocks 405 and 406) associated with the pipeline corridor from AG-A (Agricultural) to an OSP (Park Open Space) Zone;
- Rezone Walkway Block 407 from AG-A (Agricultural) to an appropriate R1 (Residential) Zone to match the zoning proposed for the abutting Low Density Residential block (Block 1); and,
- Rezone Walkway Block 408 from AG-A (Agricultural) to an appropriate R4-A/R6-B (Residential) Zone to match the zoning proposed for the abutting Medium Density II Residential block (Block 302).

It is recommended that an “h” holding symbol be applied to the zoning of the developable portion of the draft plan of subdivision. The holding symbol would be removed when the subdivision agreement, including acceptable financial provisions with respect to services and facilities, is executed.

An additional holding symbol will be applied to Blocks 301, 302, 303 and 304 which would be removed when a site plan agreement is executed for the development of each block.

An additional holding symbol will be applied to Blocks 301, 302, 303 and 402 which would be removed when urban design guidelines for Street L have been approved.

While the holding symbols are in place only existing uses, model homes and a temporary sales office and UR (Urban Reserve) Zone uses will be permitted.

This Department has no objection to the rezoning which would implement the revised draft plan of subdivision. Section 5.7 of this Report sets out the rationale for this position.

#### **5.4 Heritage Matters**

At the time of the February 29, 2016 public meeting, a portion of the subject site was occupied by the Lewis Luke House and was part of the Werrcroft Farm. The Heritage Oshawa Inventory of City of Oshawa Heritage Properties identified the Lewis Luke House as a Class ‘A’ property. Class ‘A’ properties have been evaluated by Heritage Oshawa as having the highest potential for designation under the Ontario Heritage Act.

Policy 8.7.10.2 of the Kedron Part II Plan specifies:

“8.7.10.2 When considering a development application, the preferred approach to the conservation and preservation of any built heritage resources documented in the Heritage Impact Study Report shall be their retention in situ, through integration and/or adaptive re-use. However, if it is demonstrated to the satisfaction of the City that retention in situ is not feasible, the preferred secondary approach shall be relocation to a different location on the same property for adaptive re-use or, if such is not feasible, relocation off-site for adaptive re-use. Only after it is demonstrated to the City’s satisfaction that these approaches are not feasible should an application to demolish a built heritage resource be submitted, whereupon appropriate opportunities for salvage should be pursued.”

The Applicant submitted a Heritage Impact Assessment prepared by ERA Architects Inc. (ERA). The ERA report recommended relocating the Lewis Luke House to a functioning agricultural site in Clarington that has been associated with the Werry family in the past and which would maintain the house in a rural setting. The ERA report was circulated to Heritage Oshawa for its consideration.

On March 17, 2016 Heritage Oshawa passed the following resolution:

“That Heritage Oshawa is pleased with the workable solution presented for the house to be relocated from 2375 Ritson Road North and has no objection to the relocation proposal.”

The main two-storey portion of the Lewis Luke House has since been relocated to an agricultural property in the Municipality of Clarington.

## **5.5 Subdivision Design/Land Use Considerations**

The revised draft plan of subdivision includes 24 blocks to accommodate up to 185 single detached dwellings, six blocks to accommodate up to 135 street townhouses, three medium density blocks to accommodate up to 499 apartment, block townhouse and/or back-to-back townhouse dwellings, one medium density block to accommodate up to 39 block townhouse and/or back-to-back townhouse dwellings, a Public Elementary School block, a Separate Elementary School block, a neighbourhood park block, a parkette block, two open space blocks that include easements for pipelines operated by Enbridge and TransCanada, two walkway blocks, a landscape buffer block, a landscape grading block, a road widening block, and new arterial and local roads located between Ritson Road North and Conlin Road East, north of Britannia Avenue East (see Attachment 3).

As per the Kedron Major Roads Class Environmental Assessment, the design of the planned Type ‘C’ Arterial Road forming the northern limit of the subject site (Street L on the revised draft plan of subdivision) includes a combination of a centre median, a sidewalk on one side, a multi-use path on the other side and on-road cycling lanes. As per the Kedron Major Roads Class Environmental Assessment, the design of Wilson Road North includes a combination of a sidewalk on both sides of the road and on-road cycling lanes, as well as a multi-use path along the west side of the road allowance extending between Britannia Avenue East and the Class II Trail located in the open space/pipeline blocks. A Class I Trail is planned to be located in the Hydro One corridor in a north-south manner. A Class II Trail is planned to be located in the open space/pipeline blocks (and through the Hydro One corridor where the trail crosses the corridor).

The portions of Street A/M and Street L that cross the Hydro One corridor are not owned by the Applicant or the City but rather Her Majesty The Queen, In Right of Ontario. Ontario Infrastructure and Lands Corporation (O.I.L.C.) must review and approve all roads proposed on the corridor lands. Accordingly, the Applicant will be required to seek approval from Hydro One and O.I.L.C. in this regard. Provided the proposed road design is approved, Hydro One and O.I.L.C. would transfer the lands directly to the City at no cost to the City. Hydro One and O.I.L.C. will not transfer lands to the City for the purpose of the Class I Trail planned to run within the Hydro Corridor or for the purpose of the Class II Trail planned to cross the corridor, the construction of which also requires the approval and consent of Hydro One and O.I.L.C. Hydro One has no objection to the approval of the subject applications, subject to conditions.

This Report contains a recommendation that the Commissioner of Development Services be authorized to execute any necessary agreement(s) with Hydro One and/or the Ontario

Infrastructure and Lands Corporation for the conveyance of the lands required for Street A/M and Street L to the City and for the construction and maintenance of Class I and II Trails and any related infrastructure in the Hydro One corridor lands that are not to be conveyed to the City.

The proposed draft plan of subdivision shows the proposed single detached dwelling areas in blocks rather than lots. These residential blocks are proposed to be lotted out later in the development approval process as market opportunities present themselves. The Applicant has requested a flexible approach to the zoning and draft plan approval of these blocks so as to be able to respond to these market opportunities. This approach has been previously used during the approval of other draft plans of subdivision in the City.

The proposed draft plan of subdivision has been designed to be integrated with draft plan of subdivision S-O-2014-02 proposed by 1662857 Ontario Ltd. (Nideva) to the south and to conform to the completed Kedron Major Roads Class Environmental Assessment.

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 if the subject applications are approved.

This Department has no objection to the revised draft plan of subdivision subject to the conditions as generally outlined in Attachment 5. Section 5.7 of this Report sets out the rationale for this position.

## **5.6 Parkland Dedication**

The area of the draft plan of subdivision is 33.98 hectares (84 ac.).

The Ontario Planning Act stipulates that the City may require up to 5% of the total land area in a residential draft plan of subdivision to be conveyed to the City for park or other public recreational purposes. 5% of the area of the subject revised draft plan of subdivision is 1.7 hectares (4.2 ac.).

Alternatively, the City may require cash-in-lieu of parkland to be paid at the time of issuance of building permits for blocks that would be subject to site plan approval under Section 41 of the Ontario Planning Act (i.e., Medium Density I Residential Block 304, Medium Density II Residential Blocks 301-303, and any block townhouses or apartments developed on School Blocks 401 and 402 if the school blocks are not required for schools or other community uses).

The Kedron Part II Plan indicates that both a Neighbourhood Park and a Parkette are to be located in the area occupied by the subject revised draft plan of subdivision (see Attachment 4).

The combined area of the proposed Neighbourhood Park block (Block 403) and Parkette block (Block 404) in the subject revised draft plan is 2.598 hectares (6.42 ac.). This represents 7.645% of the overall area of the draft plan.

Typically, when more than 5% of a draft plan of subdivision is to be conveyed to the City as parkland dedication, the City must pay for the balance of the parkland.

In 2019, the Province enacted Bill 108, More Homes, More Choice Act, 2019 ("Bill 108"). Among other matters, Bill 108 amended the Ontario Planning Act including with respect to parkland dedication requirements for plans of subdivision. Bill 108 introduced a new authority for lower tier municipalities such as Oshawa to levy Community Benefits Charges (C.B.C.s) on new development, equivalent to 10% of the value of the land that is subject to development (as valued the day before a building permit is issued). By passing a C.B.C. by-law, a municipality can generate funds for services including, but not limited to, parking and by-law enforcement, affordable housing and childcare facilities, and establish an alternative method of acquiring the land needed to build new parks separate from the Ontario Planning Act. While the Planning Act still permits municipalities to require the conveyance of up to 5% of the land in a residential draft plan of subdivision for parkland, this mechanism for parkland dedication only applies if the municipality has not passed a C.B.C. by-law.

The full implications of the new C.B.C. provisions are not yet known, as the associated regulations have not yet been released by the Province. Consequently, it is not known whether the enactment of a C.B.C. by-law would allow the City to acquire more or less land for park and public recreational purposes gratuitously, or how much the City would be required to pay a subdivider that provides more parkland than the Planning Act permits a municipality to acquire gratuitously. Furthermore, transitional regulations for draft plans of subdivision that received approval prior to the enactment of Bill 108 or prior to the enactment of a C.B.C. by-law are not known at this time.

Once the regulatory framework has been established, staff will report to Committee and Council on the requirements and application of the C.B.C. provisions.

An appropriate condition has been included in the recommended conditions of draft approval for the subject revised draft plan of subdivision (see Attachment 5) to require a report to be prepared for City Council prior to registration of the draft plan. The purpose of this report will be to obtain final approval on how parkland dedication and the C.B.C. will be addressed and, if necessary, authorize the amounts to be paid to the subdivider. The costs of any appraisal(s) will be the responsibility of the Applicant.

## **5.7 Basis for Recommendation**

This Department has no objection to the approval of the revised applications for the following reasons:

- (a) The proposed development (including single detached dwellings, street townhouse dwellings, medium density residential blocks and elementary school blocks) at this location is consistent with the Provincial Policy Statement and conforms with the Provincial Growth Plan, particularly given that it advances a density of 50 persons and jobs per hectare in the Kedron Part II Plan Area;
- (b) The proposed development conforms with the Durham Regional Official Plan, the O.O.P. and the Kedron Part II Plan;

- (c) The proposed development contributes to a range of housing types in the area;
- (d) The proposed development provides multiple opportunities for active transportation through the provision of recreational trails, multi-use paths and cycling lanes;
- (e) The design of the subdivision is appropriate for the site and the proposed development can be designed to be compatible with existing and planned surrounding land uses;
- (f) The Region of Durham and Central Lake Ontario Conservation Authority have no objection to the applications; and,
- (g) The proposed development represents good planning.

## **6.0 Financial Implications**

Based on the approval of the Kedron Part II Plan and the current Development Charge Level of Service policy, the City has effectively assumed that there will be certain capital costs related to the construction of arterial roads and finishing the development of the neighbourhood park and parkette.

The Hydro One corridor, which is located outside of the subject draft plan of subdivision, will contain a north-south Class I Trail running along the corridor that the City is responsible for designing, constructing and maintaining. It will also contain a short east-west Class II Trail segment crossing the corridor that the subdivider will design and construct at no cost to the City. The draft plan approval conditions will require the subdivider to design and construct the Class I and II Trails in the Hydro One corridor. The subdivider subsequently will be reimbursed by the City for the City's costs related to the north-south Class I Trail.

The above costs for the Class I Trail (not including maintenance costs) would be funded through Development Charges.

There will be long term maintenance costs associated with the proposed development (e.g. maintenance of roads, walkways, trails, neighbourhood park and parkette).

There may be operating costs associated with potentially providing a crossing guard(s) at certain locations including at the roundabout at the intersection of Wilson Road North and Street L.

## 7.0 Relationship to the Oshawa Strategic Plan


The Recommendation advances the Economic Prosperity and Financial Stewardship, Social Equity and Environmental Responsibility goals of the Oshawa Strategic Plan.



Anthony Ambra, P. Eng., Director  
Engineering Services

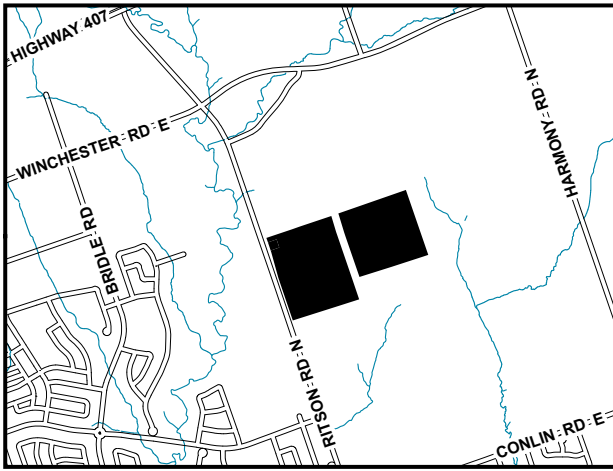


Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



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





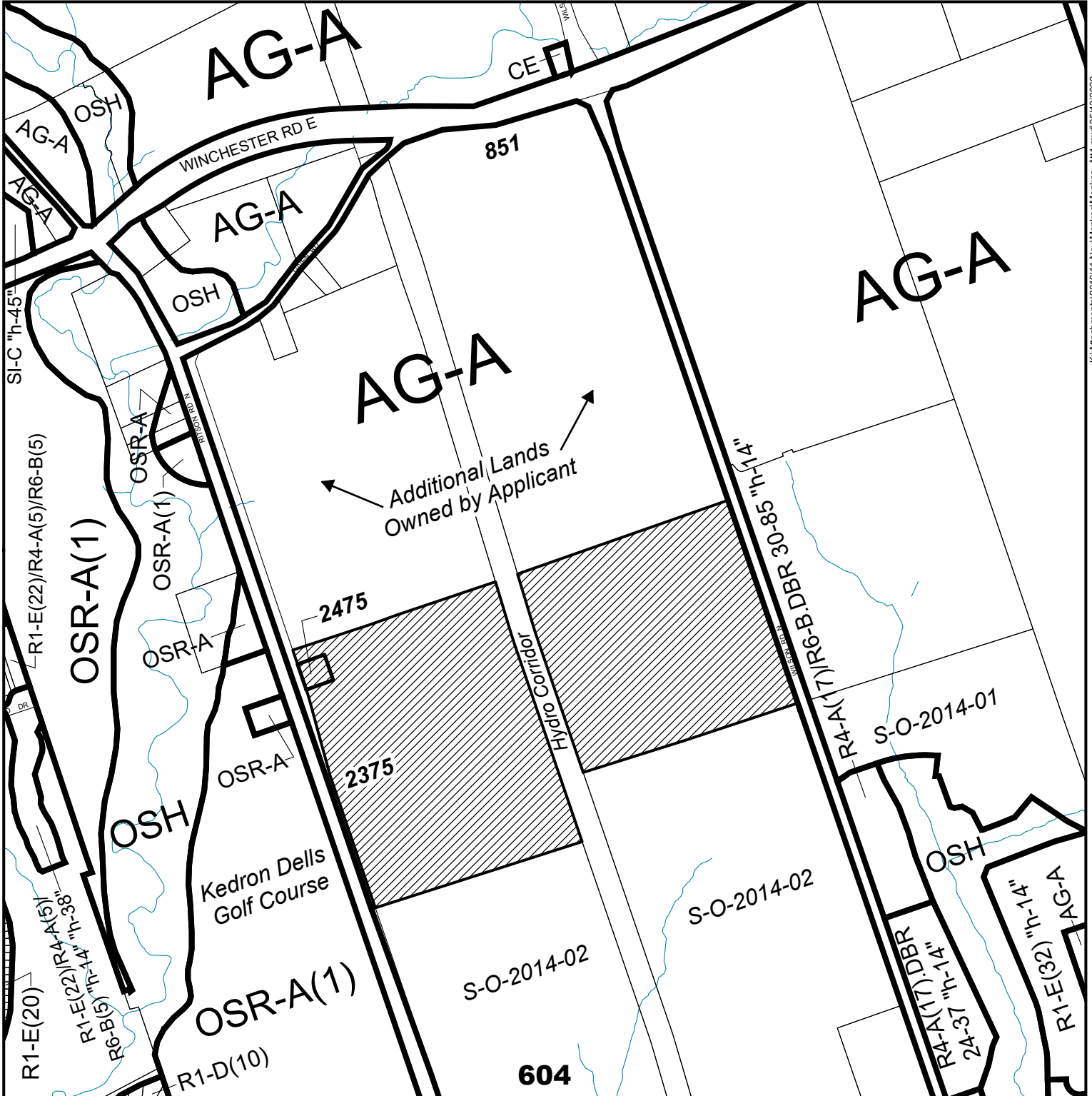
Development Services Department

Item: CNCL-20-77  
Attachment 1

Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision S-O-2014-06  
Address: 2375 and 2475 Ritson Rd N and 851 Winchester Rd E  
File: S-O-2014-06, Z-2015-04

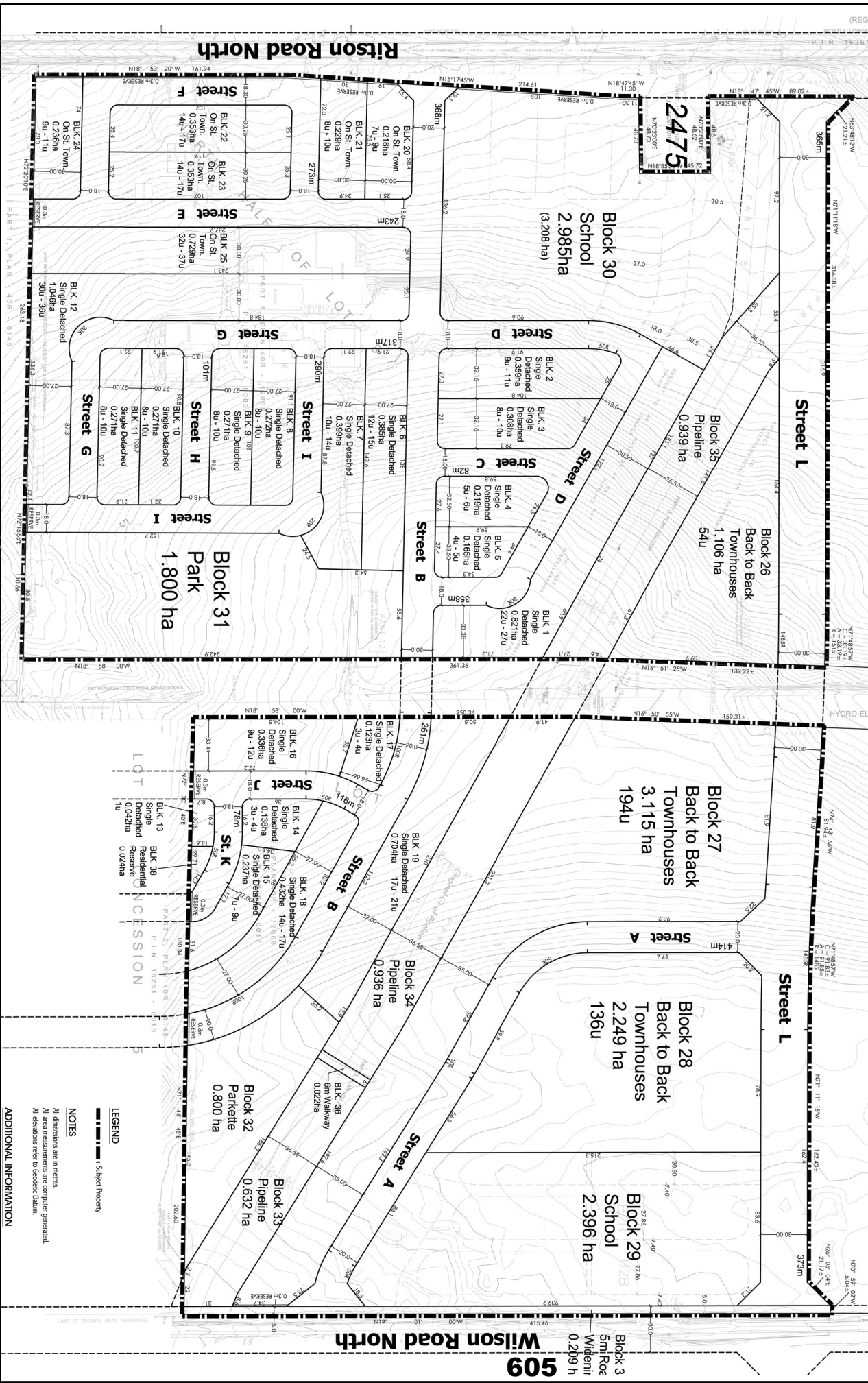


Subject Site



Title: Original Draft Plan of Subdivision S-O-2014-06 Submitted by the Applicant and Presented at the  
February 29, 2016 Public Meeting  
Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision S-O-2014-06  
Address: 2375 and 2475 Ritson Rd N and 851 Winchester Rd E  
File: S-O-2014-06, Z-2015-04

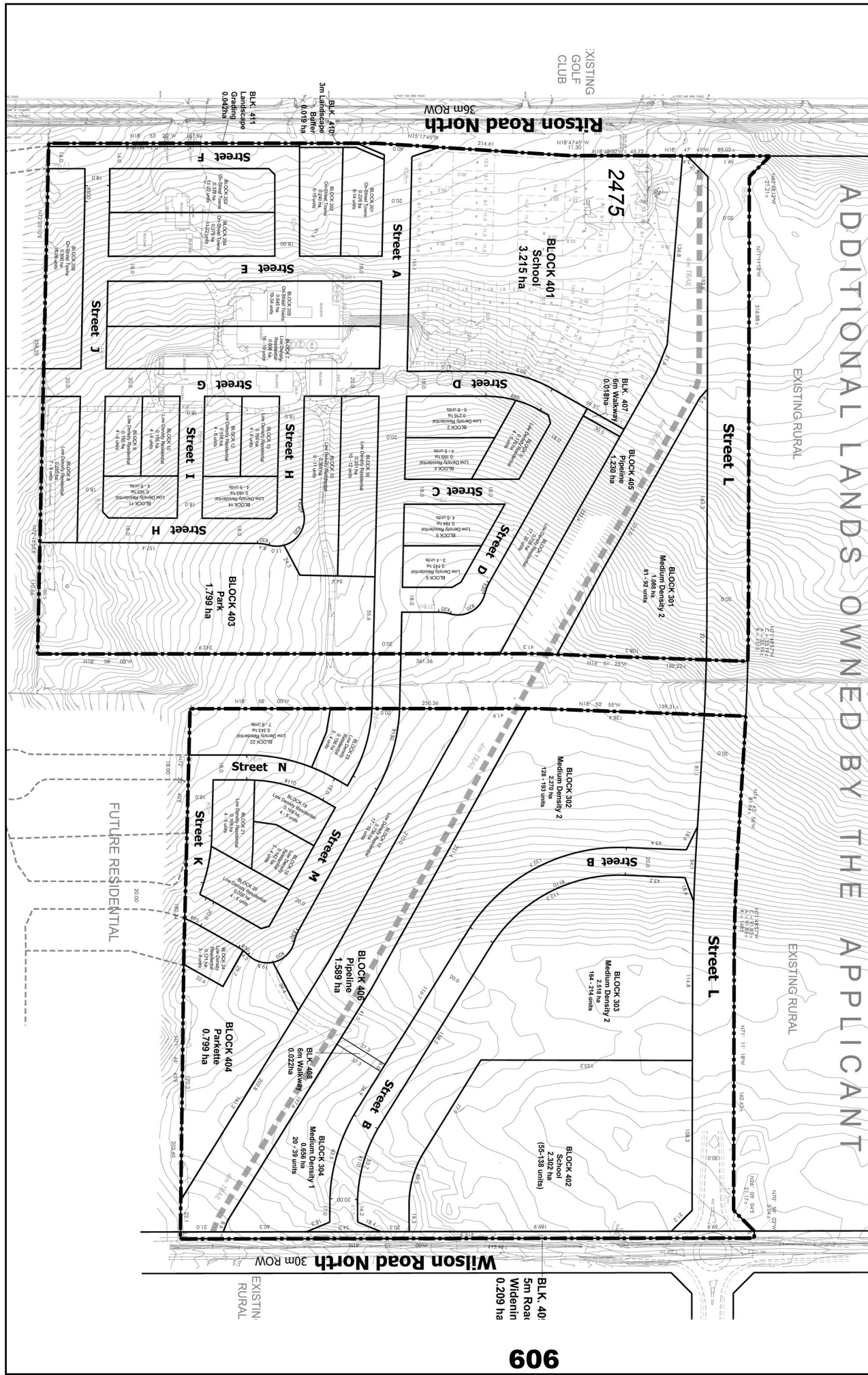
City of Oshawa  
Development Services Department






Title: Revised Draft Plan of Subdivision S-O-2014-06 Submitted by the Applicant to Address Certain Technical Matters  
Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision S-O-2014-06  
Address: 2375 and 2475 Ritson Rd N and 851 Winchester Rd E  
File: S-O-2014-06, Z-2015-04

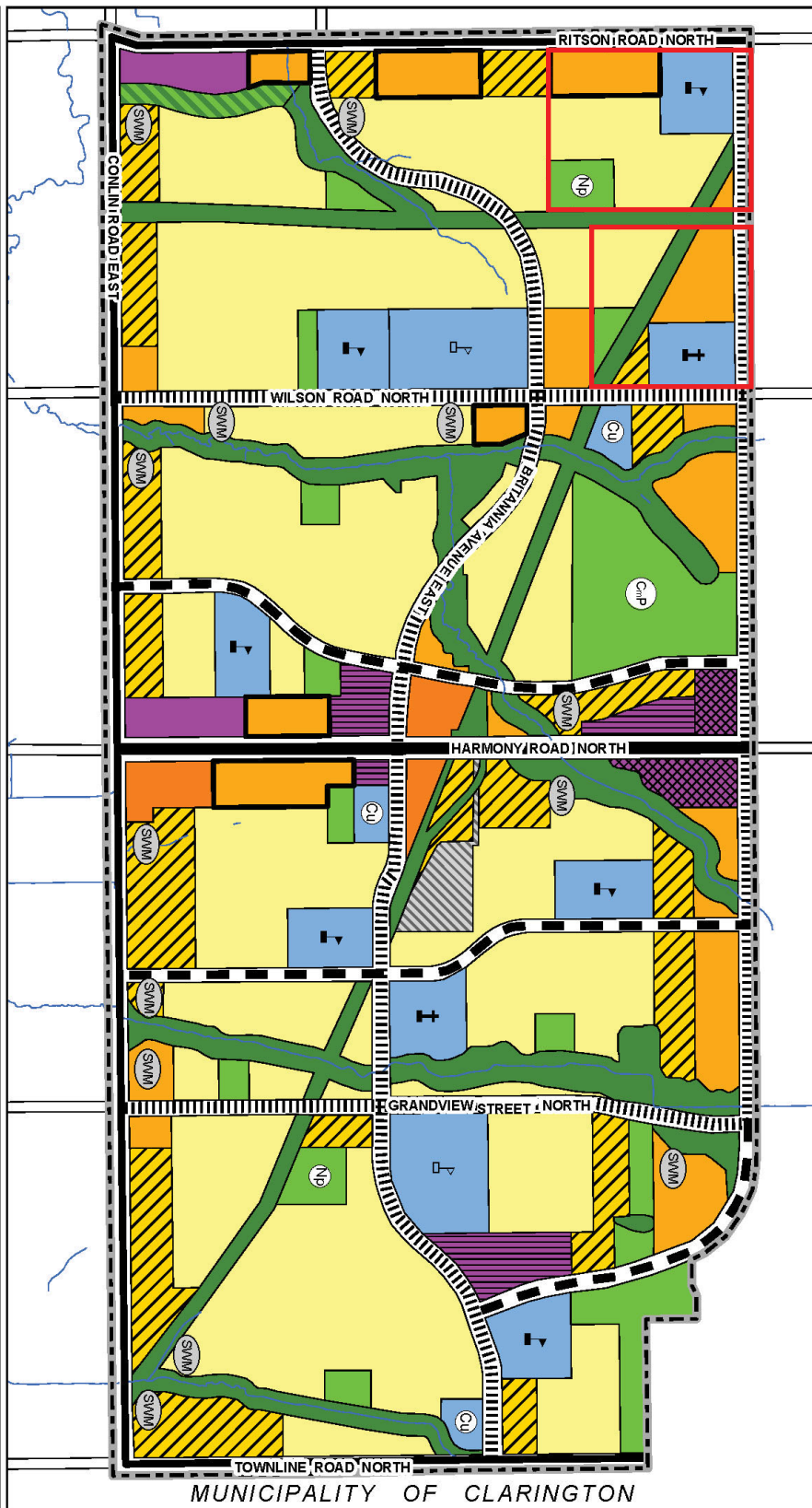
City of Oshawa  
Development Services Department



Title: Schedule 'A', Kedron Land Use and Road Plan, from the Kedron Part II Plan  
Subject: Revised Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision S-O-2014-06  
Address: 2375 and 2475 Ritson Rd N and 851 Winchester Rd E  
File: S-O-2014-06, Z-2015-04

 Subject Site

City of Oshawa  
Development Services Department



**Schedule 'A'**  
**Kedron Land Use and Road Plan**  
Part II Plan for the Kedron Planning Area

January 2019  
Development Services Department

0 50 100 200 300 Meters

**Legend**

Residential	Parkette	Mixed Use I
Low Density Residential	Open Space and Recreation	Mixed Use II
Medium Density I Residential	Schematic Diversion Channel	Transportation
Medium Density II Residential	Community Use	Type 'A' Arterial Road
High Density I Residential	Public Elementary School	Type 'B' Arterial Road
Subject to Policy 8.7.4.9 in Kedron Part II Plan	Public Secondary School	Type 'C' Arterial Road
Open Space and Recreation	Separate Elementary School	Collector Road
Neighbourhood Park	Community Use	Stormwater Management Facilities
Community Park	Mixed Use	Kedron Part II Plan Boundary
	Mixed Use Node	Utilities



**City of Oshawa Conditions of Approval for Draft Plan of Subdivision S-O-2014-06  
(Last date of revision March 27, 2020 by Menkes Oshawa Holdings Ltd.)**

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**A. General**

1. That the final 40M plan for registration shall show the following:
  - (a) All single detached lots shall have a minimum frontage of nine (9) metres measured at the street line. This may be varied by the Director of Planning Services as appropriate.
  - (b) All street townhouse lots shall have a minimum frontage of six (6) metres measured at the street line. This may be varied by the Director of Planning Services as appropriate.
  - (c) Some reconfiguration of lots or blocks may be required if final engineering for the lot grading and servicing design impacts building envelopes or it is determined there is a need for rear yard catch basins.
2. That the subdivider enter into a subdivision agreement with the City to ensure the fulfillment of the City's requirements, financially or otherwise.
3. That the subdivider hereby acknowledges that the current City funding practices may change prior to plan registration or development and that the timing of the registration shall be at the City's discretion based on the City's financial ability to fund projects.
4. That any approvals which are required from the Region of Durham, Ministry of the Environment, Conservation and Parks (M.E.C.P.), Ministry of Natural Resources and Forestry, Hydro One Networks Inc., Central Lake Ontario Conservation Authority, Enbridge Gas, Oshawa Power and Utilities Commission, TransCanada Pipelines, Enbridge Pipelines, Bell Canada, Rogers Communications Inc., Canada Post, Durham District School Board, Durham Catholic District School Board, and any other regulatory authority for the development of this plan be obtained by the subdivider and written confirmation be provided to Engineering Services.
5. That a draft of the final 40M plan for registration be submitted to Planning Services for review and comment by all agencies and departments.
6. That a draft of the 40R Plans related to engineering matters shall be submitted to Engineering Services with the engineering submission for review and approval.
7. That the subdivider shall implement all requirements of the Environmental Impact Study, Master Environmental Servicing Plan, Kedron Major Roads Environmental Assessment, etc.
8. That the subdivider shall pay for a peer review of any study, report or guideline, if/as required by the City.

## **B. Engineering Plans/Drawings Required**

9. That engineering drawings, including Traffic Management Plans, be prepared in accordance with City policies and requirements. Prior to the preparation of the subdivision agreement, the plans and drawings are to be submitted to and approved by Engineering Services. The engineering drawings shall include Utility Co-ordination Plans which illustrate and establish the final design and location of all above-ground and below-ground utility plant and structures that service the plan. Further that the engineering drawings be coordinated with the streetscape/architectural control guidelines and urban design guidelines and further that the engineering plans shall co-ordinate the driveways, street utility hardware and street trees in order to ensure that conflicts do not exist and street trees are accommodated.
10. In the event that the subdivision agreement is not executed within one (1) calendar year from the date of approval of the engineering drawings, they shall be resubmitted to Engineering Services for approval again prior to execution of the subdivision agreement.

## **C. Servicing**

11. That the subdivider acknowledges that authority to provide any subdivision pre-servicing approval, prior to execution of a subdivision agreement, is delegated to the Director of Engineering Services. Pre-servicing, in accordance with the City's design guidelines and standards, will only be considered where it is not possible to execute and register the subdivision agreement in the time frame required to commence servicing for approved engineered services that has otherwise found to be acceptable with confirmation from all agencies and authorities involved in the conditions set out in the conditions of draft plan approval.
12. The subdivider enter into an agreement with the adjoining developer of the draft plan of subdivision S-O-2014-02 for the equitable sharing of infrastructure costs and land costs serving the subject draft plan S-O-2014-06 and that a copy of the fully executed agreement between those parties be provided to Engineering Services.
13. That the subdivider arrange for, and pay the cost of all services required to service the plan, in accordance with the City policies and requirements.
14. That satisfactory arrangements be made for financing the City's share of servicing before the final plan is released for registration.
15. That the cost of any relocation, extension, alteration, damage rehabilitation or extraordinary maintenance of existing services necessitated by this development shall be the responsibility of the subdivider.
16. That the subdivider pay the full cost of the City's services within this plan which abuts privately owned property outside the limits of this plan. In addition, any payment received from the subdivider for the services covered by the City's Development Charge By-law, for which this subdivider has paid shall be used to reimburse this subdivider for such services to the extent of this subdivider's cost provided a front-ending agreement is executed in accordance with the requirements of the Development Charges Act.

17. That the cost of any City services outside of the plan necessitated by this development to be installed, extended, relocated or altered to provide services across or through adjacent privately owned lands which are subject to a separate draft plan approval to service this plan shall be the responsibility of the subdivider. Furthermore it is the sole responsibility of the subdivider to negotiate with the adjacent land owner and secure appropriate easement(s) and/or lands required, and convey the same to the City at no cost and in a physical and environmental condition acceptable to Engineering Services.

#### **D. Stormwater**

18. That this development comply with City policies and by-laws with respect to stormwater management.
19. That the subdivider provide a stormwater management facility maintenance fee satisfactory to Engineering Services for the long term maintenance and rehabilitation cost of the storm water management facility(ies) in the adjoining draft plan of subdivision (S-O-2014-02) to the south that will service portions of this plan.
20. That the subdivider acknowledges that this draft plan relies on the abutting draft plan to the south (S-O-2014-02) to provide a physical storm water outfall and as such the development of this plan cannot proceed until such time that physical outfalls in the abutting property is available. Furthermore, the subdivider agrees to obtain written confirmation prior to the submission of engineering drawings from the downstream property owner indicating that their development will accommodate the drainage from this development and will not seek any compensation from the City, financial or otherwise.
21. That the land within the draft plan not be unreasonably graded, filled or stripped except in compliance with the City's Site Alteration By-law 85-2006 or in advance of building activity, so as to cause dust and increased stormwater runoff from the lands resulting in erosion and silting of roads, services, valley lands, creeks and privately owned property.

#### **E. Road Design & Details**

22. That the subdivider demonstrate that suitable access is provided to the draft plan or to the given phase of the draft plan, prior to the registration of the draft plan or the phase of the draft plan, which may require arrangements with the developer of the adjacent draft plan (S-O-2014-02) to the satisfaction of the City.
23. That all streets including dedicated corner sight triangles and pavement elbows, be designed to City standards.
24. That the final plan for registration be revised to incorporate the City's minimum road geometric design criteria as well as the requirements of a proposed sidewalk location plan. The subdivider shall reduce the number of residential building lots or reconfigure some of the lot structure as determined necessary to meet the geometric design criteria as well as the requirements of a proposed sidewalk location plan.
25. That the subdivider ensure that all streets properly align with existing and proposed development outside the limits of and abutting this plan. In this regard, the

- subdivider shall provide written verification to Engineering Services as part of the draft 40M Plan submission, from an Ontario Land Surveyor that the alignment of all streets and their extension outside the limits of this plan will meet the design requirements of the City.
26. That reserves, as may be required by Engineering Services in each phase, be shown on draft 40M plans and conveyed to the City.
  27. That any reserves which are required to be dedicated as public highway with the registration of this plan, shall be included in draft of the final 40M plan of subdivision for dedication as public highway or alternatively a by-law shall be prepared for the purpose of dedicating the existing reserve as public highway.
  28. That the City close, convey or dedicate any reserves, road allowances or road widenings necessitated by the development of this plan or any road allowance abutting this plan, provided the subdivider has met all of the requirements of the City, financially or otherwise, subject to the determination of the Commissioner of Development Services, in this sole discretion.
  29. That the subdivider acknowledge that current City policy provides consideration of a reduced road allowance width:
    - (a) Of eighteen (18) metres provided the road in question services less than 100 units and that the Commissioner of Development Services shall require the minimum standard 20 metre road allowance width if it is determined that the construction and/or maintenance of the public services within the road allowance is not financially or otherwise feasible; and,
    - (b) Of sixteen (16) metres for service roads abutting arterial roads or other public lands and, the Commissioner of Development Services shall require the minimum standard twenty (20) metre or where necessary, twenty (20) metres plus road allowance in consideration that the final future road grade for Street F has not been concluded/warrants the additional width. Alternatively a wider landscape grading block adjacent to the service road may be required.
  30. That the subdivider is required to pay the full cost of the temporary termination of any street (in the form of a cul-de-sac) to the satisfaction of Engineering Services, and further, that the subdivider acknowledges that the method of termination may restrict the availability of building permits for any lot/block that would be affected by such temporary termination.
  31. That prior to the registration of Blocks 301 to 304 and 402, the final plan for registration be revised or that the lot/block structure be altered at the intersection of Wilson Road North and Street L to accommodate any additional road allowance as may be required to provide for a roundabout design or other engineering details not yet presented. In this regard, any abutting lots or blocks shall not be developed until such time that the road allowance requirement has been determined. Further that all costs associated with this intersection control feature shall be borne entirely by the subdivider, subject to any cost sharing in accordance with Condition 34.
  32. That with the phase of the draft plan that includes Blocks 301 to 304 and 402, the subdivider is required to design and construct the intersection of Wilson Road North



and Street L with a roundabout design in accordance with the Kedron Major Roads Environmental Assessment and the City of Oshawa standards and policies.

33. That with the phase of the draft plan that includes Blocks 301 to 304 and 402, the subdivider is required to construct those portions of Wilson Road North which abut this draft plan of subdivision to a full urbanized arterial road structure in accordance with the Kedron Major Roads Environmental Assessment, including sidewalks, a multi-use path and accessible bicycle shoulders, and in accordance with the City of Oshawa standards and policies, subject to any cost sharing in accordance with Condition 34.
34. The subdivider enter into an agreement with the owner of land on the east side of the Wilson Road North road allowance that shares frontage on the same segment of Wilson Road North for the equitable sharing of infrastructure costs for the construction of Wilson Road North, including traffic management, and the roundabout at the intersection of Wilson Road North and Street L, and that a copy of the fully executed agreement between those parties be provided to Engineering Services prior to the registration of Blocks 301 to 304 and 402.
35. That the subdivider pay for all traffic management features along Wilson Road North adjacent to the subject plan of subdivision, subject to any cost sharing in accordance with Condition 34, Street A, Street B, Street G, Street L and Street M as may be determined necessary by the City during the review of the engineering submission for this development. These features will be designed and constructed to the satisfaction of Engineering Services.
36. That all streets shall be named to the satisfaction of Planning Services.
37. That Street K together with the related fronting lots and blocks be developed in conjunction with adjacent lands to the satisfaction of Planning Services.
38. The subdivider shall construct any required Class II Trails on Street L within the road allowance to the satisfaction of Engineering Services and at no cost to the City.
39. That the subdivider obtain all necessary approvals from Hydro One and the Ontario Infrastructure and Lands Corporation required for the construction of the municipal services and roads across any Hydro One lands, easements or rights-of-way and that such approvals be in the form satisfactory to the City of Oshawa at no cost to the City. In this regard, the subdivider will be responsible for making the necessary arrangements for the lands required for Street A/M and Street L through the Hydro One lands to be conveyed to the City of Oshawa at no cost to the City.
40. That with the phase of the draft plan that includes Blocks 301 to 304 and Blocks 402, the subdivider is required to construct Street L in accordance with the Kedron Major Roads Environmental Assessment and as per the City of Oshawa standards and policies, including sidewalks, multi-use paths, a median and accessible bicycle shoulders.

## **F. Studies/Reports/Guidelines Required.**

### ***Stormwater/Functional Servicing Report***

41. The subdivider is required to submit a detailed stormwater management report/functional servicing report, prepared by a water resource engineer to Engineering Services as part of the engineering design drawing submission for review and approval. The subdivider is required to implement and bear the cost of all the necessary stormwater features/works recommended in said Report.

### ***Hydrogeological***

42. That the subdivider shall submit a Hydrogeological Assessment report to Engineering Services, prepared by a licensed hydrogeological engineer, that may be included in a Soils/Geotechnical Report that addresses, but not be limited to, the following issues:
  - (a) The sizing of the Foundation Drain Collector System (F.D.C.);
  - (b) Opportunities for the application of the LIDs technology within the draft plan;
  - (c) Any potential for formation of calcium carbonate buildup in the foundation drains and service connections within this draft plan and provide appropriate remedial measures;
  - (d) The ability to minimize the extent of building footing drains below the seasonal high groundwater table by means of changing the overall design of this development;
  - (e) Opportunities to avoid having saturated backyards and/or ponding water situations in privately owned lots; and,
  - (f) The subdivider acknowledges that they will provide all necessary mitigation measures as it relates to groundwater seepage at the detailed engineering design stage to ensure that the basements will not be negatively affected by the groundwater seepage.

### ***Soils/Geotechnical***

43. That the subdivider prepare a soils/geotechnical report for implementation as appropriate, with the subdivision agreement to ensure the recommendations of the soils/geotechnical report related to municipal services and road structure, including any requirement that development on engineered fill be certified by a licensed geotechnical engineer. This report shall be submitted to Engineering Services for review and acceptance, in conjunction with the first engineering submission, together with soils profiles plotted on a separate set of the engineered construction drawings. The report must also include an orientation map illustrating the lots affected by any proposed engineered fill recommendations.

### ***Soil Management***

44. That the subdivider prepare a soil management report for implementation as appropriate, by a licensed geotechnical engineer. This report shall be submitted to

Engineering Services for review and acceptance, in conjunction with the Site Alteration Permit.

### ***Record of Site Condition***

45. Prior to final approval, site disturbance or registration, a Record of Site Condition (R.S.C.) acknowledged by the M.E.C.P. shall be submitted to the City, if required by the Region of Durham's Site Contamination Protocol.

### ***Traffic Management***

46. The subdivider shall retain a licensed traffic engineer to prepare a traffic management report which details any required feature for design, operation and construction of all streets within the plan and that the report be submitted to Engineering Services for review and acceptance, as part of the engineering plans package. The traffic management measures shall be implemented to Engineering Services satisfaction at the subdivider's cost.

### ***Noise***

47. That prior to the preparation of the subdivision agreement and as part of the first engineering submission the subdivider agrees to retain a licensed acoustical engineer to prepare and submit to Planning Services for review and acceptance, a noise impact study which addresses the impact of noise generated from road traffic and/or the surrounding land uses and is based on the detailed grading of the site to the satisfaction of Planning Services. Further, the subdivider shall implement the recommendations for noise controls at no cost to the City, confirm that the implemented noise mitigation features(s) is/are in compliance with the M.E.C.P. standards and provide the necessary warning clauses.
48. That the subdivider acknowledges that noise impact studies for Blocks 301, 302, 303, 304, 401 and 402 shall be provided at the time of future applications for site plan approval for these blocks.

### ***Streetscape/Architectural Control Guidelines***

49. That prior to offering any model/property for sale, the subdivider shall engage a control architect, satisfactory to Planning Services. This control architect will prepare and submit to Planning Services for review and acceptance, streetscape/architectural control guidelines which are satisfactory to Planning Services, approve all models offered for sale and certify that all building permits plans comply with the City approved guidelines.

### ***Urban Design Guidelines***

50. That prior to the 1st submission of engineering plans, the subdivider shall engage an urban design and landscape architect, satisfactory to Planning Services, to prepare and submit urban design guidelines for lands adjacent to Street L to Planning Services for approval.

### ***Tree Inventory and Assessment***

51. That prior to issuance of a site alteration permit, the subdivider shall engage a certified Arborist to prepare a tree inventory and assessment to the satisfaction of Parks Services and Planning Services. The tree inventory and assessment shall be submitted to Planning Services.

### ***Archaeological Study***

52. That prior to issuance of a site alteration permit or any other soil disturbance, the subdivider shall undertake an archaeological study by a licensed archaeologist to be reviewed by the Ministry of Heritage, Sport, Tourism and Culture, entered into the Ontario Public Register of Archaeological Reports and correspondence documenting review and acceptance of this to be submitted to Planning Services.

### **G. Phasing**

53. That if this subdivision is to be developed by more than one registration, an overall development and phasing plan must be submitted and approved by Planning Services and Engineering Services to ensure an adequate street pattern and servicing scheme prior to preparation of the engineering drawings.
54. That the use of temporary emergency access locations is discouraged. The need for temporary emergency access locations shall be reviewed to determine alternative phasing and inclusion of other portions of the approved road network of the draft plan.

### **H. Lots**

55. That the lot pattern for those blocks shown on the plan for residential development must be detailed on the engineering drawings and draft 40M Plan to properly assess requirements for items such as municipal infrastructure, individual servicing and utility coordination.
56. That the residential lots/blocks shown on School Block 401 only be permitted to register after it is demonstrated to Planning Services' satisfaction that the block is not required for any school or other community use.

### **I. Street Lighting**

57. That the subdivider implement the same decorative street lighting standard used on lands to the southeast (within draft plan S-O-2016-09) and further agrees to pay for any additional costs associated with the street lighting upgrades.

### **J. Utility Easement & Blocks**

58. That the City grant any easements required for utilities, storm water management and servicing on City owned lands necessitated by the development of the plan and relinquish any redundant easements provided the subdivider has met all the requirements of the City, financially or otherwise.
59. That the subdivider grant free of charge any easements or blocks required for servicing and the conveyance of overland flows. Easements shall be in a location

and of a width as determined by Engineering Services and/or the Region of Durham and be granted upon request at any time after the draft approval of the plan.

60. That the final plan for registration include and accommodate Block(s) and easement(s) required to facilitate the installation of any utility services which cannot be accommodated in the City's right-of-way to the satisfaction of Engineering Services.

#### **K. Private Wells and Septic Systems**

61. That the subdivider provide property owners with private well systems in the area surrounding the Draft Plan with a copy of the Region of Durham Well Interference Policy.

#### **L. Driveways**

62. That the location of all driveways maintain a minimum one (1) metre clearance from all above ground utility structures or other like apparatus where practical, to the satisfaction of Engineering Services.
63. That the subdivider provide roll-up type garage doors where the front yard setback to the garage is seven (7) metres or less.

#### **M. Future Development Blocks**

64. That Block 24 be developed in conjunction with adjacent lands to the satisfaction of Planning Services.

#### **N. Open Space**

65. That Open Space (Pipeline) Blocks 405 and 406 be conveyed to the City at no cost and in a physical condition acceptable to Parks Development and Technical Support, Planning Services and Engineering Services.

#### **O. Walkways**

66. That any proposed walkways (Blocks 407 and 408) be conveyed, designed and constructed to City standards, at no cost to the City.
67. The subdivider shall demonstrate that any walkway block for the provision of overland flow has a sufficient width to convey the major overland flow and is prepared to reduce or reconfigure the number of residential building lots as determined necessary. In this regard, any abutting lots or blocks shall not be developed until such time that an adequate width of the walkway block has been confirmed.

#### **P. Landscaping**

68. Landscape plans shall be submitted to Planning Services no later than the second submission of Engineering plans (detail design) for each phase.
69. That this development comply with the City's Landscaping Design Policies and requirements. Without limiting the generality of the foregoing, the subdivider shall prepare and coordinate the landscape plans with the engineering drawings to the

satisfaction of Planning Services and Engineering Services. The following shall be submitted to Planning Services:

- (a) The landscape submission shall include, but is not limited to:
    - (i) Landscape buffer block(s);
    - (ii) Landscape grading block(s);
    - (iii) Roundabout(s) and medians;
    - (iv) Preservation/protection of existing site features and vegetation;
    - (v) Restorative/enhancement planting for the open space blocks;
    - (vi) Park concept and grading for the neighbourhood park block and parkette block;
    - (vii) Street tree planting;
    - (viii) Fencing; and,
    - (ix) Recreational trails outside of road right-of-ways.
  - (b) A statement from a Landscape Architect shall certify that measures employed are appropriate to promote the preservation of existing site features and vegetation.
70. That the subdivider undertake to the satisfaction of Planning Services and Engineering Services and at no cost to the City, subject to any cost sharing in accordance with Condition 34:
- (a) The installation of landscaping and drainage facilities in the landscape buffer and grading blocks;
  - (b) The design and construction to finished asphalt of all recreational trails outside of the road allowances in the draft plan of subdivision;
  - (c) The installation of landscaping and drainage facilities in the roundabouts and medians, as necessary;
  - (d) The installation of enhancements and restoration planting in the open space blocks;
  - (e) The installation of fencing of open space lands where adjacent to lots/blocks; and,
  - (f) The installation of street trees, in accordance with the City standards and requirements.
71. That the subdivider design and construct, at no cost to the City, the east-west Class II Trail to finished asphalt and all structures deemed necessary to achieve the connection/crossing through the Hydro One corridor to the satisfaction of Planning

Services and the design shall be submitted as part of the landscape submission to Planning Services.

72. That the subdivider design and construct the north-south Class I Trail and related facilities in the Hydro One corridor outside the draft plan to finished asphalt, subject to the City obtaining permission to complete such trail, and the design shall be submitted as part of the landscape submission to Planning Services. The subdivider shall be entitled to reimbursement from the City for the cost to design and construct the Class I Trail and related facilities, and the City shall be responsible for any legal costs associated with obtaining permission from Hydro One.
73. That any blocks required for a landscape buffer or landscape grading be conveyed to the City at no cost, in an acceptable physical condition. Any landscape buffer or landscape grading block shall be of sufficient width to permit the landscape strip not to exceed a 3:1 slope or other slope acceptable to Planning Services. If the landscape buffer or landscape grading block abuts a service road an alternative slope suitable to the design may be considered through the coordinated submission of engineering and landscape plans.
74. That the subdivider provide a fixed payment through the subdivision agreement (10% of the estimated cost of the construction item) to provide for the long term maintenance and rehabilitation of items such as entrance features, walls and enhancements to fences, which exceed City standards and which are requested by either the subdivider or the City.
75. That the subdivider deposit with the City a public lands damage deposit and monetary security in amounts to be specified in the subdivision agreement as determined by Planning Services. This shall ensure that the public lands are not damaged and that certain site improvements, landscaping, fencing and vegetation preservation, in accordance with the approved conditions and plans, are carried out.

#### **Q. Parkland**

76. That Park Block 403 and Parkette Block 404 be conveyed to the City, in a physical condition acceptable to Parks Development and Technical Support and Planning Services.
77. That, given that the regulatory framework associated with the Community Benefits Charge authority introduced by the Province of Ontario under Bill 108, More Homes, More Choice Act, 2019, is currently unknown, prior to registration of the draft plan, a report shall be prepared to City Council to obtain final approval on how parkland dedication and the Community Benefits Charge will be addressed as appropriate. Any required appraisal(s) shall be at the expense of the subdivider. If payment to the subdivider is required, it will be addressed in the report to City Council.
78. That the subdivider undertake, at no cost to the City, the grading, sodding, fencing and installation of the drainage facilities in Park Block 403 and Parkette Block 404 in accordance with the approved plans or in lieu of undertaking the actual work the City may accept at its discretion, an appropriate fixed payment to the City.
79. That the subdivider be advised that it may request permission from Council to fully "finish" the parks, including any facilities and appropriate park furniture, as an

alternative to waiting for the City to “finish” the neighbourhood park and/or parkette. The subdivider’s request must include the proposed timing of full park construction, the costs to the City and a proposed method and timeline for reimbursement by the City. The subdivider’s request is to be made to the Commissioner of Development Services who shall report to Committee and Council on the request. The subdivider is advised that the timing of the finishing of the park is at Council’s discretion and that Council cannot at this time, commit to the approval of any request by the subdivider to “finish” the park on the City’s behalf.

#### **R. Zoning**

80. That the Zoning By-law be appropriately amended in order to implement the draft plan.

#### **S. Construction Access**

81. That heavy construction access and haul routes be approved by Engineering Services.
82. That Britannia Avenue East west of Ritson Road North shall not be used as a haul route.

#### **T. TransCanada Pipeline Limited**

83. That the subdivider acknowledges that TransCanda PipeLines Limited has indicated to the City that planned upgrades to their pipeline that traverses the draft plan of subdivision may have an impact on the draft plan including, but not necessarily limited to, the need to phase development adjacent to the pipeline easement in order to safely accommodate TransCanada’s construction requirements for a temporary period while upgrades to the pipeline are made.



**Excerpts from the Minutes of the Development Services Committee Meeting held on  
February 29, 2016**

**Application 3: DS-16-32**

**Presentation**

Laurie McPherson, Bousfield presented an overview of the applications to amend Zoning By-law 60-94 and for approval of draft plan of subdivision, east of Ritson Road North, north of Britannia Avenue East by Menkes Oshawa Holdings Inc.

**Delegations**

No public comments were received.

**Correspondence**

None.

**Report**

DS-16-32      Applications to Amend Zoning By-law 60-94 and for Approval of Draft Plan of Subdivision S-O-2014-06, East of Ritson Road North, North of Britannia Avenue East, Menkes Oshawa Holdings Ltd.

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Moved by Councillor Pidwerbecki,

“That pursuant to Report DS-16-32 dated February 24, 2016, the applications submitted by Menkes Oshawa Holdings Ltd. to amend Zoning By-law 60-94 (File: Z-2015-04) and for approval of a draft plan of subdivision (File: S-O-2014-06) to permit the development of single-detached dwellings, street townhouses, back-to-back townhouses, a public elementary school block, a separate elementary school block, neighbourhood park and parkette blocks, open space blocks, a future development block, a walkway block, reserve blocks, a road widening block and new arterial and collector roads at the south ends of 2375 Ritson Road North and 851 Winchester Road East and to rezone 2475 Ritson Road North to permit community institutional and residential uses 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.” Carried