

Minutes of the eleventh meeting of the Development Services Committee for 2014, held in the Committee Meeting Room, Council Building, Oshawa Civic Administration Complex on Monday, June 16, 2014 at 1:30 p.m.

Present: Councillor Aker, Chair  
 Councillor Pidwerbecki, Vice-Chair  
 Councillor Chapman, Member  
 Councillor Marimpietri, Member  
 Councillor Sanders, Member  
 Mayor Henry, Ex Officio (left at 3:20 p.m.)

Also

Present: Councillor Diamond  
 M. Pringle, Committee Co-ordinator  
 T. Hodgins, Commissioner, Development Services  
 G. Carroll, Director, Engineering Services  
 P. Ralph, Director, Planning Services  
 E. Rodgers, Director, Special Development Initiatives  
 M. Leonard, Chief Building Official  
 J. Conlin, Director, Municipal Law Enforcement and Licensing Services  
 S. Ashton, Manager, Development and Urban Design  
 C. Goodchild, Manager, Policy  
 J. Shestowsky, Manager, Administration and Accessibility Services  
 J. Hagen, Manager, Licensing and Support Services  
 K. Wilson, Project Engineer  
 T. Goodeve, Principal Planner  
 W. Munro, Principal Planner  
 M. Kish, Senior Planner  
 R. Bedic, Planner "B"  
 M. Harrington, Planner "B"  
 D. Tuley, Downtown Development Officer  
 R. Keenan, Business Development Manager

Absent: None.

## Public Agenda

### Declarations of Pecuniary Interest

Councillor Marimpietri made a declaration of pecuniary interest concerning Correspondence DS-14-137, 'Greenbrae Farm – Route for Gas Pipeline Through North Oshawa' and Report DS-14-123, 'Status Report on the City of Oshawa's Municipal Class Environmental Assessment Studies of Conlin Road East, Thornton Road North and Townline Road North' as he has family residing in the immediate area.

## Presentation

Stuart Craig, Vice-President of Planning and Development, RioCan provided an update on the development at Winchester Road and Simcoe Street, noting that contrary to rumor, RioCan still owns the property and intends to develop it. Stuart Craig stated that the project is moving slower than anticipated as the retail industry has committed to the project, but will not locate until the construction of Highway 407 is complete and some residential homes are built. The delegate confirmed the project will be primarily large-retail, but may include some mixed uses.

The Committee questioned Stuart Craig.

## Delegations

Moved by Councillor Pidwerbecki,  
"That the delegations of Michael Dominguez, Emil Hanzelka, Yolanda Van Grootel and Rosemary McConkey be heard." Carried

Michael Dominguez addressed the Development Services Committee in support of Report DS-14-129, 'Recommended City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 Related to Accessory Apartments Required to Implement Provincial Legislation', and requested the Committee move forward with the initiative.

Emil Hanzelka addressed the Development Services Committee in support of Report DS-14-129, 'Recommended City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 Related to Accessory Apartments Required to Implement Provincial Legislation', particularly the recommendation to not permit accessory apartments in the area around the main campus of Durham College and U.O.I.T due to servicing constraints and other factors.

Yolanda Van Grootel addressed the Development Services Committee in opposition to Report DS-14-121, 'Revised Applications Submitted by Select Avenue Developments to Amend the Oshawa Official Plan and Zoning By-law 60-94 for 185 Hillcroft Street', stating that in her opinion, the Developer has not considered the community in the revised applications as the project is still at the maximum density allowed under the current regulations. Yolanda Van Grootel expressed concern about inadequate parking, inadequate landscaping, noise pollution, light pollution and that the property line is only 12 metres away from the closest neighbour. The delegate stated that, in her opinion, the project should be a maximum of 3 storeys.

The Committee questioned Yolanda Van Grootel.

Rosemary McConkey addressed the Development Services Committee requesting the City develop a policy to conduct due diligence when doing business, referencing a comment made in the newspaper that the City had "no idea" who they were dealing with, with respect to the Student Housing Canada Inc. project. Rosemary McConkey stated it was a common business practice to require articles of incorporation or identification as a matter of due diligence, to fully understand whom you are doing business with.

**Delegation Requests (requires 2/3 vote)**

Moved by Councillor Pidwerbecki,  
“That the delegations of Dennis Croft, Andrew Ferancik and Hans Jain, and Mary Bone be heard.” Carried on 2/3 Vote of Members Present

Dennis Croft addressed the Development Services Committee providing an overview of the Spark Centre and its request for a \$30,000 annual contribution from the City of Oshawa to operate the ‘The Loft’, a creative business incubator, in Downtown Oshawa.

The Committee questioned Dennis Croft.

Andrew Ferancik, Hans Jain and Michael Panacci addressed the Development Services Committee providing a historical overview of the project at 100 Bond Street East, and the current request from Bond and Mary Developments Inc. for an extension to the City’s Option to Purchase deadline from August 29, 2014 to December 31, 2014. The delegate stated Bond and Mary Developments Inc. expect to have ‘shovels in the ground’ as soon as possible, and a ground breaking ceremony in mid to late August.

The Committee questioned Andrew Ferancik, Hans Jain and Michael Panacci.

Mary Bone, Executive Director, Habitat for Humanity addressed the Development Services Committee providing an overview of the Agency’s work in Oshawa, and requesting their letter of intent to purchase 485 and 501 Normandy Street from the City of Oshawa for a purchase price of \$100, be endorsed.

The Committee questioned Mary Bone.

**Correspondence Requests**

DS-14-148 Rosemary McConkey – Requesting to Address the Development Services Committee Concerning a Policy for Due Diligence When Dealing with Corporate Matters

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Moved by Councillor Pidwerbecki,  
“That the Development Services Committee recommend to City Council:

That Correspondence DS-14-148 dated June 11, 2014 from Rosemary McConkey requesting to address the Development Services Committee concerning a policy for due diligence when dealing with corporate matters, and her subsequent delegation concerning the matter, be received for information.” Carried

**Referrals From City Council**

None.

**Advisory Committee Reports**

None.

**Additional Agenda-Related Items (requires 2/3 vote to add)**

Moved by Councillor Pidwerbecki,

“That Correspondence DS-14-150 dated June 13, 2014 from Mark Christie, Ministry of Municipal Affairs and Housing regarding City-initiated amendments to implement changes to the Planning Act resulting from Bill 140 to authorize second units, be added to the agenda.” Carried on 2/3 Vote of Members Present

DS-14-150 Ministry of Municipal Affairs and Housing – Comments Regarding the City-Initiated Amendments to Implement Changes to the Planning Act Resulting from Bill 140 to Authorize Second Units

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Moved by Councillor Pidwerbecki,

“That the Development Services Committee recommend to City Council:

That Correspondence DS-14-150 dated June 13, 2014 from Mark Christie, Manager, Community Planning and Development, Ministry of Municipal Affairs and Housing submitting comments regarding the proposed City-initiated amendments to implement changes to the Planning Act resulting from Bill 140 to authorize second units, be referred to Report DS-14-129.” Carried

**Public Consent Agenda**

Moved by Councillor Pidwerbecki,

“That all items listed under the heading of Public Consent Agenda for the June 16, 2014 Development Services Committee meeting be adopted as recommended except Correspondence DS-14-134 and DS-14-146 and Reports DS-14-140 and DS-14-101.” CARRIED

**Correspondence**

DS-14-134 Annette Carto – Submitting a Petition in Opposition to the Proposed Sidewalk on the North Side of Kettering Drive

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Recommendation (Carried – See Page 20)

That the Development Services Committee recommend to City Council:

That Correspondence DS-14-134 dated June 1, 2014 from Annette Carto submitting a petition in opposition to the proposed sidewalk on the north side of Kettering Drive, be received for information.

DS-14-135 Region of Durham – Forwarding a Copy of Regional Report 2014-P-31, Titled #CycleON Action Plan 1.0

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Correspondence DS-14-135 dated May 26, 2014 from Roger Saunders, Director, Strategic Planning, Region of Durham forwarding a copy of Regional Report 2014-P-31, titled '#CycleON Action Plan 1.0', be received for information.

DS-14-137 Greenbrae Farm – Route for Gas Pipeline Through North Oshawa

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Recommendation (Carried – See Page 4)

That Correspondence DS-14-137 dated June 2, 2014 from Martin Feaver, Greenbrae Farm submitting comments regarding the route for the gas pipeline through North Oshawa, be referred to the special Development Services Committee meeting on July 16, 2014.

DS-14-145 Christine Naumovski – Submitting Comments in Support of Report DS-14-129, 'Recommended City-Initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 Related to Accessory Apartments'

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Correspondence DS-14-145 dated June 11, 2014 from Christine Naumovski submitting comments in support of Report DS-14-149, 'Recommended City-Initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 Related to Accessory Apartments', be received for information.

DS-14-146 Spark Centre – Requesting a \$30,000 Annual Contribution from the City of Oshawa to Operate 'The Loft' in Downtown Oshawa

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Recommendation (Carried – See Page 20)

That the Development Services Committee recommend to City Council:

That Correspondence DS-14-146 dated June 10, 2014 from Dennis Croft, Executive Director, Spark Centre requesting a \$30,000 annual contribution from the City of Oshawa to operate 'The Loft' in Downtown Oshawa, be referred to staff.

DS-14-147 Oshawa Airport Golf Club – Requesting the City of Oshawa Review its Lease Agreement to Reflect the Rate of Ten Percent of Gross Revenues

Recommendation (Carried – See Page 4)

That Correspondence DS-14-147 dated June 11, 2014 from William Wallace and Robert Perkins, Oshawa Airport Golf Club requesting the City of Oshawa review its lease agreement to reflect the rate of ten percent of gross revenues, be referred to staff for a report.

## Reports

### Administration and Accessibility Services

DS-14-113 Declaration of City-Owned Lands Along Park Road South Abutting 547 Cromwell Avenue as Potentially Surplus

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That pursuant to Report DS-14-113 dated June 11, 2014, the City-owned lands on the east side of Park Road South and immediately north of 547 Cromwell Avenue (generally described as Part of Lots 131, 132 and 133, Registered Plan 296), as identified on Attachment 1 to Report DS-14-113, be declared as potentially surplus to municipal requirements; and that, given the localized nature of the issue, the newspaper advertising requirements of By-law 97-2000 be waived and that notice inviting public input and comment on the declaration be mailed only to the abutting property owners and the Region of Durham.

DS-14-127 Proposed Lease Renewal, 1 Mary Street North, Unit C, Bayshore Healthcare

Recommendation (Carried – See Page 4)

That pursuant to Report DS-14-127 dated June 11, 2014 and the delegated authority of the Development Services Committee pursuant to By-Law 29-2009, as amended, the Commissioner of Development Services be authorized to approve and execute a lease amendment with Bayshore Healthcare Ltd. consistent with the content of said Report and in a form and content satisfactory to the City Solicitor.

DS-14-131 Proposed Lease Amendment with 2094874 Ontario Ltd. (D. Kallinteris) for the Jubilee Pavilion (Architectural Building Elevations and Site/Floor Plan)

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-14-131 dated June 11, 2014, the lease with 2094874 Ontario Ltd. for the Jubilee Pavilion be amended, as necessary, with respect to the proposed building architecture and site/floor plan consistent with said Report and that the approval of the final physical improvements be delegated to the Director of Planning Services; and,
2. That the Mayor and Clerk be authorized to execute any documentation or amending agreements to give effect to the foregoing, said agreements to be in a form and content satisfactory to the Commissioner, Development Services and the City Solicitor.

DS-14-138 Request by Metrolinx to Install a Ticket Vending Machine in the Platform Area of the Oshawa Bus Terminal

Recommendation (Carried – See Page 4)

Whereas the City and GO Transit have a Memorandum of Understanding regarding GO Transit's use of bus platforms in the Downtown Oshawa Bus Terminal; and,

Whereas Metrolinx (GO Transit's successor) wishes to locate a Ticket Vending Machine (T.V.M.) inside the bus platform area; and,

Whereas a T.V.M. is not permitted by the Memorandum of Understanding; and,

Whereas the lessee of the lobby in the Bus Terminal and Metrolinx ticket agent has no objection to the installation of a T.V.M. in the bus platform area provided it is only available for use after agency business hours; and,

Whereas Delegation By-law 29-2009, as amended, delegates the approval of leases (less than \$75,000 per annum) to the Development Services Committee and the execution of said lease (satisfactory in form and content to the City Solicitor) to the Commissioner, Development Services or the Director, Economic Development Services; and,

Whereas a T.V.M. is accessory to the use of the platforms and will facilitate the availability of transit tickets after the ticket agency is closed; and,

Whereas the Memorandum of Understanding is intended to be reviewed and made current in a new lease document in the next year;

Therefore be it resolved that pursuant to its delegated authority, the Development Services Committee authorizes the Commissioner of Development Services to execute an amendment to the Memorandum of Understanding between the City and Metrolinx (the successor of the Greater Toronto Transit Authority) to place a Ticket Vending Machine in the platform area of the Downtown Oshawa Bus Terminal at no additional rent and that the placement of the Ticket Vending Machine and the content of the amendment to the Memorandum of Understanding be acceptable to the Commissioner of Development Services and City Solicitor; and further that Metrolinx be responsible for all installation costs, all utility costs and pay an administrative fee of \$1,000.

DS-14-140 Proposed Declaration of City Lands at 485 and 501 Normandy Street as Surplus to Municipal Needs and Requirements and Direction on Disposal Strategy

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Recommendation (Part 1 Carried, Part 2 Replaced – See Page 20)

That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-14-140 dated June 11, 2014, the City-owned lands at 485 and 501 Normandy Street be declared surplus to municipal needs and requirements; and,
2. That subject to the approval of Part 1 above, a recommended process for disposing of the City-owned lands at 485 and 501 Normandy Street.

## **Building Permit and Inspection Services**

None.

## **Economic Development Services**

None.

## **Engineering Services**

DS-14-119 2013 Consortium Watercourse Monitoring Program, Oshawa Creek

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Report DS-14-119 dated June 11, 2014 regarding the 2013 Consortium Watercourse Monitoring Program on Oshawa Creek be received for information, and staff be directed to report back on the results of the 2014 Program, including an action plan to address identified issues and concerns.



DS-14-120 Proposed Boundary Road Agreement between the City of Oshawa and the Municipality of Clarington for Townline Road

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That pursuant to Report DS-14-120 dated June 11, 2014 and the City's Delegation of Authority By-Law 29-2009, as amended, the Commissioner of Development Services be authorized to execute a Boundary Road Agreement with the Municipality of Clarington for Townline Road consistent with Attachment 1 to said Report and satisfactory to the City Solicitor.

DS-14-122 Status Report on the Region of Durham's Municipal Class Environmental Assessment Studies for Simcoe Street North and the Manning Road/Adelaide Avenue Interconnection

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Report DS-14-122 dated June 11, 2014 regarding the status of Municipal Class Environmental Assessments by the Region of Durham on Simcoe Street North and the Manning Road/Adelaide Avenue Interconnection, be received for information.

DS-14-123 Status Report on the City of Oshawa's Municipal Class Environmental Assessment Studies of Conlin Road East, Thornton Road North and Townline Road North

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Report DS-14-123 dated June 11, 2014 regarding the status of the City of Oshawa's Municipal Class Environmental Assessment (M.C.E.A.) Studies of Conlin Road East, Thornton Road North and Townline Road North be received for information; and that the Commissioner of Development Services be authorized to finalize the Environmental Study Reports for the Conlin Road East and Thornton Road North M.C.E.A.'s, file them with the Ministry of the Environment and provide information reports back to the Development Services Committee; and that staff report back on the final results of the Townline Road North M.C.E.A.

DS-14-141 Conveyance of Lands and Easements to City from U.O.I.T. and Dantonbury (Tribute) for Britannia Avenue West

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

Whereas Dantonbury (Tribute) is required to construct Britannia Avenue West (west of Simcoe Street) as part of a Council approved subdivision; and,

Whereas the engineering design of Britannia Avenue West requires the conveyance to the City of lands and easements from U.O.I.T. and Dantonbury which secure a properly configured road allowance, culvert crossing and the City's ability to maintain grading and slopes beyond the south edge of the road allowance; and,

Whereas both U.O.I.T. and Dantonbury (Tribute) have agreed to convey the required lands and easements to the City;

Therefore be it resolved that the City accept from U.O.I.T. and Dantonbury (Tribute) lands and easements to the satisfaction of the Commissioner of Development Services for the above-noted purposes and that such conveyances be undertaken in a manner satisfactory to the City Solicitor.

DS-14-143 Simcoe Street North and Britannia Road East Intersection Improvements

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

Whereas the east leg of the Britannia Road/Simcoe Street North intersection was constructed to a 3-lane urbanized cross-section in 2006; and,

Whereas the west leg of the Britannia Road/Simcoe Street North intersection is required to be constructed by Dantonbury (Tribute) to a 4-lane urbanized cross-section, with continuous centre median and on-road bike lanes, as part of its subdivision on the west side of Simcoe Street North; and,

Whereas the east leg of the Britannia Road/Simcoe Street North intersection needs to be altered to align with the new lane configuration on the west leg of the intersection to ensure the safe operation of the full new signalized intersection; and,

Whereas Dantonbury (Tribute) has agreed to design, primarily fund (±\$180,000) and construct the alterations to the east leg of the Britannia Road/Simcoe Street North intersection; and,

Whereas it is appropriate, fair and reasonable for the City to make a financial contribution to the alterations to the east leg of the Britannia Road/Simcoe Street North intersection given that it is not in the Dantonbury (Tribute) subdivision; and,

Whereas the Director, Finance Services/Treasurer has advised that funds are available;

Therefore be it resolved that the City provide an appropriate contribution, not to exceed \$25,000, to the realignment of the east leg of the Britannia Road/Simcoe Street North intersection to be funded from the appropriate Reserve Fund to the satisfaction of the Director, Finance Services/Treasurer.

## Planning Services

DS-14-101 Requested Incentives under the Central Business District Renaissance Community Improvement Plan and Other Incentives, Phase 1 (Eastern Part) of 100 Bond Street East, Bond and Mary Development Inc.  
(Hans Jain)

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Recommendation (Replaced – See Page 21)

That the Development Services Committee provide direction, in the form of a recommendation to Council, in respect to the request by Bond and Mary Development Inc. for financial incentives.

DS-14-121 Revised Applications Submitted by Select Avenue Developments to Amend the Oshawa Official Plan and Zoning By-law 60-94 for 185 Hillcroft Street

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-14-121 dated June 11, 2014, the revised application submitted by Select Avenue Developments to amend the Oshawa Official Plan (File: B-3100-0364) to re-designate the subject site at 185 Hillcroft Street from Industrial to Residential be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed; and,
2. That pursuant to Report DS-14-121 dated June 11, 2014, the revised application submitted by Select Avenue Developments to amend Zoning By-law 60-94 (File: Z-2013-08) to rezone the subject site at 185 Hillcroft Street from GI (General Industrial)/SI-A (Select Industrial) to R6-C (Residential) subject to an appropriate special condition to permit an apartment building and to implement the proposed site/building design be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed; and,

3. That in accordance with Section 34(17) of the Planning Act and notwithstanding that the rezoning proposed in the public meeting report and the public meeting differs to some degree from that approved by City Council, such differences are not substantial enough to require further notice and another public meeting.

DS-14-124 Doors Open Oshawa 2014 Event

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-14-124 dated June 11, 2014, Council endorse the Doors Open Oshawa 2014 event as described; and,
2. That City Hall be included as a site in Doors Open Oshawa 2014 on Saturday, September 27, 2014 between 10:00 a.m. and 4:00 p.m., with access similar to 2013; and,
3. That the City of Oshawa provide funding in an estimated amount of \$1,100 + HST for a bus shuttle service from the U.O.I.T./Durham College main campus to the Windfields Farm Doors Open 2014 site to be funded by the City Treasurer from the \$150,000 provided by Minto Metropia Windfields L.P. for a Heritage Program for Windfields Farm.

DS-14-125 Request Submitted by 1387925 Ontario Ltd. (Ihor Lysyk) to Amend the Council Conditions of Approval for an Application Under the University and College Area Renaissance Community Improvement Plan: 1909 Simcoe Street North (File: B-1200-0021)

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

Whereas on April 29, 2013 City Council considered Report DS-13-85 and approved, subject to conditions, an application submitted by Ihor Lysyk under the University and College Area Renaissance Community Improvement Plan for an Increased Assessment Grant to facilitate the development of an 18 unit apartment building (64 beds) at 1909 Simcoe Street North; and,

Whereas one of the conditions required the building to be completed and available for occupancy by December 31, 2014; and,

Whereas by letter dated May 12, 2014, Ihor Lysyk requested a one year extension to the condition related to completion and occupancy;

Therefore be it resolved that the request dated May 12, 2014 from 1387925 Ontario Ltd. (Ihor Lysyk) to amend the conditions of approval for the application under the University and College Area Renaissance Community Improvement Plan for 1909 Simcoe Street North be approved such that now the building shall be completed and available for occupancy by December 31, 2015 and provided the building foundation is completed by August 31, 2015.

DS-14-126 Request Submitted by Kiya Investment Corp. to Amend the Council Conditions of Approval for an Application Under the University and College Area Renaissance Community Improvement Plan: 710 King Street West (File: B-1200-0026)

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

Whereas on November 25, 2013 City Council considered Report DS-13-250 and approved, subject to conditions, an application submitted by Kiya Investment Corp. under the University and College Area Renaissance Community Improvement Plan for an Increased Assessment Grant to facilitate the development of a 25 unit apartment building (46 beds) at 710 King Street West; and,

Whereas one of the conditions required the building to have a foundation completed by August 31, 2014; and,

Whereas another condition required the building to be completed and available for occupancy by December 31, 2015; and,

Whereas by letter dated May 29, 2014, Kiya Investment Corp. requested a one year extension to the conditions related to completion of the foundation and the completion of the building and occupancy;

Therefore be it resolved that the request dated May 29, 2014 from Kiya Investment Corp. to amend the conditions of approval for the application under the University and College Area Renaissance Community Improvement Plan for 710 King Street West, be approved such that now the foundation shall be completed by August 31, 2015 and the building shall be completed and available for occupancy by December 31, 2016.

DS-14-128 Request from Property Owner to Purchase a Portion of the City-owned Thomas Street Road Allowance for a Residential Lot Addition (121 Thomas Street)

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That pursuant to Report DS-14-128 dated June 11, 2014, Mr. John Jones of 121 Thomas Street be advised that the City of Oshawa respectfully declines his request to acquire part of the Thomas Street road allowance abutting the westerly limit of 121 Thomas Street.

DS-14-129 Recommended City-Initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94 Related to Accessory Apartments Required to Implement Provincial Legislation

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-14-129 dated June 11, 2014, the City-initiated amendments to the Oshawa Official Plan (File: B-3100-0362) and Zoning By-law 60-94 (File: Z-2013-05) related to accessory apartments in single detached dwellings and semi-detached dwellings be approved in order to implement the Province's direction pursuant to changes made to the Planning Act through the Strong Communities through Affordable Housing Act, 2011 and the necessary by-laws be passed generally in accordance with Attachments 1 and 2 in the above-noted Report; and,
2. That in accordance with Section 34(17) of the Planning Act and notwithstanding that the rezoning proposed in the public meeting report and at the public meeting differs to some degree from that approved by City Council, such differences are not substantial enough to require further notice and another public meeting; and,
3. That the General Fees and Charges By-law be amended to include new terminology by adding Accessory Apartments in the column with single detached and semi-detached dwellings for Committee of Adjustment applications and that the notice provisions of the City's Notice By-law 147-2007 be waived for this minor change.

DS-14-130 Application for Removal of “h-12” Holding Symbol – 2015-2019 Simcoe Street North, 2 Taylorwood Road Ltd., (File: B-3200-1271)

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Recommendation (Carried – See Page 4)

Whereas on April 27, 2009 Council passed By-law 29-2009 which delegated the approval of applications to remove “h” holding symbols to the Development Services Committee subject to the conditions for lifting the holding symbol being fulfilled to the satisfaction of the Commissioner of Development Services and the necessary by-law being presented to Council for approval; and,

Whereas 2 Taylorwood Road Ltd. the owner of 2015-2019 Simcoe Street North intends to develop a 14 unit apartment building and a 9 unit block townhouse building on the site (Attachment 1); and,

Whereas the site is zoned MU-A(3)“h-12” (Mixed Use) which permits apartment buildings and block townhouses; and,

Whereas the “h-12” holding symbol is in place to ensure the following conditions are satisfied:

- a) Site plan approval is obtained from the City;
- b) Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and Region;
- c) Driveway access to the satisfaction of the City and Region;
- d) Noise mitigation to the City’s satisfaction; and
- e) Any necessary cross-access easements are created to the satisfaction of the City; and,

Whereas the owner has submitted an application to remove the “h-12” holding symbol to advance conditional building permits for the proposed development; and,

Whereas it is expected that site plan approval will be granted shortly; and,

Whereas the Commissioner of Development Services is satisfied that the conditions for lifting the holding symbol will be satisfied;

Therefore be it resolved that the application submitted by 2 Taylorwood Road Ltd. to remove the “h-12” holding symbol for 2015-2019 Simcoe Street North to facilitate the development of an apartment building and block townhouse building be approved and the necessary by-law be passed.

DS-14-132 Application for Removal of “h-49”, 1645-1655 Simcoe Street North,  
2345703 Ontario Inc., (File: B-3200-1272)

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Recommendation (Carried – See Page 4)

Whereas on April 27, 2009 Council passed By-law 29-2009 which delegated the approval of applications to remove “h” holding symbols to the Development Services Committee subject to the conditions for lifting the holding symbol being fulfilled to the satisfaction of the Commissioner of Development Services and the necessary by-law being presented to Council for approval; and,

Whereas 2345703 Ontario Inc. the owner of 1645-1655 Simcoe Street North intends to develop a 15 unit apartment building on the site; and,

Whereas the site is zoned MU-A “h-49” (Mixed Use) which permits apartment buildings; and,

Whereas the “h-49” holding symbol is in place to ensure the following conditions are satisfied:

- a) Site plan approval is obtained from the City;
- b) Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage, and transportation services to the development to the satisfaction of the City and Region;
- c) Driveway access to the satisfaction of the City and Region;
- d) Noise mitigation to the City’s satisfaction; and
- e) Any necessary cross-access easements are created to the satisfaction of the City; and,

Whereas the owner has submitted an application to remove the “h-49” holding symbol to advance conditional building permits for the proposed development; and,

Whereas it is expected that site plan approval will be granted shortly; and,

Whereas the Commissioner of Development Services is satisfied that the conditions for lifting the holding symbol will be satisfied;

Therefore be it resolved that the application submitted by 2345703 Ontario Inc. to remove the “h-49” holding symbol for 1645-1655 Simcoe Street North to facilitate the development of an apartment building be approved and the necessary by-law be passed.



DS-14-133 Application for Removal of “h-49”, 1909 Simcoe Street North, 1387925 Ontario Ltd. (Ihor Lysyk) (File: B-3200-1269)

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Recommendation (Carried – See Page 4)

Whereas on April 27, 2009 Council passed By-law 29-2009 which delegated the approval of applications to remove “h” holding symbols to the Development Services Committee subject to the conditions for lifting the holding symbol being fulfilled to the satisfaction of the Commissioner of Development Services and the necessary by-law being presented to Council for approval; and,

Whereas 1387925 Ontario Ltd. (Ihor Lysyk) the owner of 1909 Simcoe Street North intends to develop a 18 unit apartment building on the site (Attachment 1); and,

Whereas the site is zoned MU-A “h-49” (Mixed Use) which permits apartment buildings; and,

Whereas the “h-49” holding symbol is in place to ensure the following conditions are satisfied:

- a) Site plan approval is obtained from the City;
- b) Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and Region;
- c) Driveway access to the satisfaction of the City and Region;
- d) Noise mitigation to the City’s satisfaction; and
- e) Any necessary cross-access easements are created to the satisfaction of the City; and,

Whereas the owner has submitted an application to remove the “h-49” holding symbol to advance conditional building permits for the proposed development; and,

Whereas it is expected that site plan approval will be granted shortly; and,

Whereas the Commissioner of Development Services is satisfied that the conditions for lifting the holding symbol will be satisfied;

Therefore be it resolved that the application submitted by 1387925 Ontario Ltd. to remove the “h-49” holding symbol for 1909 Simcoe Street North to facilitate the development of an apartment building be approved and the necessary by-law be passed.

DS-14-136 Requests to Designate Certain Buildings and the Northern Dancer Cemetery in the Core Farm Area of the Former Windfields Farm and Trillium Cemetery Pursuant to the Ontario Heritage Act

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That pursuant to Report DS-14-136 dated June 11, 2014, staff be directed to:

- a) Report back through the Development Services Committee on the costs and a go forward strategy with the University of Ontario Institute of Technology associated with undertaking building audit(s) and a heritage research report(s) on the core farm area of former Windfields Farm lands; and,
- b) Initiate the process to designate the Trillium Cemetery under the Ontario Heritage Act including retaining a consultant to prepare a heritage research report; and,
- c) Defer designation requests pending the completion of the University of Ontario Institute of Technology and Durham College Campus Master Plan, building audit(s) and a heritage research report(s).

DS-14-139 Draft Proposed Program for 'Honouring the Windfields Farm Legacy'

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

- (1) That pursuant to Report DS-14-139 dated June 11, 2014 regarding a Draft Proposed Program for 'Honouring the Windfields Farm Legacy', the Development Services Department:
  - (a) Be authorized to consult the public on the Draft Proposed Program for 'Honouring the Windfields Farm Legacy'; and,
  - (b) Be directed to report back on:
    - (i) Public input received on the Draft Proposed Program for 'Honouring the Windfields Farm Legacy';
    - (ii) A recommended final version of a program for 'Honouring the Windfields Farm Legacy'; and,
    - (iii) Recommended timing and costing for implementing the City items in the recommended Program for 'Honouring the Windfields Farm Legacy'.

DS-14-142 Request from Bond and Mary Development Inc. to Further Extend the City's Option to Purchase Deadline, 100 Bond Street East, (File: SPA-2007-26)

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Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

Whereas on September 12, 2011 Bond and Mary Development Inc. purchased 100 Bond Street East from the City; and,

Whereas, pursuant to the original Purchase and Sale Agreement, the City Manager executed an Option to Repurchase Agreement dated September 12, 2011 with Bond and Mary Development Inc. that allowed the City to exercise the Option to Repurchase the site if the Owner had not lawfully commenced construction (pouring of foundation walls) by March 12, 2014 of the required development; and,

Whereas on December 16, 2013 Council approved a request by Bond and Mary Development Inc. to change the Option to Repurchase date from March 12, 2014 to August 29, 2014 subject to conditions; and,

Whereas an amending Option Repurchase Agreement dated January 31, 2014 was executed to implement the Council direction; and,

Whereas by letter dated June 5, 2014 Bond and Mary Development Inc. has requested that the Option to Repurchase Agreement be further amended by changing the option to repurchase date from August 29, 2014 to December 31, 2014; and,

Whereas it is appropriate to approve such a request in consideration of the comments in the developer's letter;

Therefore be it resolved:

1. That the request from Bond and Mary Development Inc. to extend the City's Option to Repurchase date from August 29, 2014 to December 31, 2014 be approved on terms acceptable to the Commissioner, Development Services and the City Solicitor including, without limitation, a release and indemnity in favour of the City and terms to the effect that the extension is without prejudice to the City's rights including under the Option to Repurchase and that time remains of the essence; and,
2. That the Commissioner of Development Services or City Manager be authorized to execute any documentation to give effect to Part 1 above in a form acceptable to the City Solicitor.

**Other**DS-14-144 Development Services Committee's Outstanding Items Status Report

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Report DS-14-144, being the Development Services Committee's Outstanding Items Status Report, be received for information.

**Discussion Agenda****Matters Excluded From Consent Agenda**

The Committee questioned the Commissioner, Development Services concerning Correspondence DS-14-134.

Moved by Councillor Sanders,

“That the Development Services Committee adopt the recommendation for Correspondence DS-14-134, ‘Annette Carto – Submitting a Petition in Opposition to the Proposed Sidewalk on the North Side of Kettering Drive’.” Carried

The Committee questioned the Commissioner, Development Services concerning Correspondence DS-14-146.

Moved by Councillor Marimpietri,

“That the Development Services Committee adopt the recommendation for Correspondence DS-14-146, ‘Spark Centre – Requesting a \$30,000 Annual Contribution from the City of Oshawa to Operate the ‘The Loft’ in Downtown Oshawa’.” Carried

Moved by Councillor Marimpietri,

“That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-14-140 dated June 11, 2014, the City-owned lands at 485 and 501 Normandy Street be declared surplus to municipal needs and requirements; and,
2. That subject to the approval of Part 1 above, a recommended process for disposing of the City-owned lands at 485 and 501 Normandy Street.” Part 1 Carried, Part 2 Carried as Replaced by Later Votes

The vote on Part 1 Carried.

Moved by Councillor Marimpietri,  
"That the Development Services Committee recommend to City Council:

That Part 2 of the motion be replaced with the following:

2. The pursuant to Report DS-14-140 dated June 11, 2014, staff be directed to continue to work with Habitat for Humanity in respect to the disposition of 485 and 501 Normandy Street and present a draft purchase and sale agreement, consistent with Habitat for Humanity's Letter of Intent dated May 29, 2014 to the Development Services Committee." Lost on the Following Vote

Affirmative – Councillor Marimpietri

Negative – Councillors Aker, Chapman, Pidwerbecki, Sanders and Mayor Henry

Absent – None

Mayor Henry left the meeting.

Moved by Councillor Marimpietri,  
"That the Development Services Committee recommend to City Council:

That Part 2 of the motion be replaced with the following:

2. That pursuant to Report DS-14-140 dated June 11, 2014, staff be directed to report back to the Development Services Committee with a draft Request for Proposal (R.F.P.) document that will solicit proposals from a range of interests for the acquisition of 485 and 501 Normandy Street from the City; and that said R.F.P. request that responders indicate, amongst other matters, their plans for the site including the provision of affordable housing." Carried on the Following Vote

Affirmative – Councillor Aker, Chapman, Marimpietri, Pidwerbecki, Sanders

Negative – None

Absent – None

Moved by Councillor Sanders,  
"That the Development Services Committee recommend to City Council:

- 1) That pursuant to Report DS-14-101 dated June 11, 2014, Bond and Mary Development Inc. (B.M.D.I.) be provided the following in respect to its proposed development of a mixed use condominium building on the eastern part of 100 Bond Street East:
  - a) A Building Permit Fee Grant of \$100,000 under the City's Central Business District Renaissance Community Improvement Plan and that the Grant be funded from the Civic Property Development Reserve; and,

- b) An Increased Assessment Grant of (T.B.D. by Development Services Committee) to be paid as follows:
- Year 1 – 91%
  - Year 2 – 82%
  - Year 3 – 73%
  - Year 4 – 64%
  - Year 5 – 55%
  - Year 6 – 45%
  - Year 7 – 36%
  - Year 8 – 27%
  - Year 9 – 18%
  - Year 10 – 9%
  - and that the total grant be capped at \$1,670,765 over the ten years; and,
- c) That prior to receiving any City monies, B.M.D.I. enter into an agreement with the City setting out performance criteria including but not limited to:
- Incentives relate only to Phase 1;
  - No commitment to provide any financial support for Phase 2;
  - B.M.D.I. pays full building permit fee prior to issuance of permit(s) and receives any Building Fee Permit Grant following completion of the work and a final building inspection to the satisfaction of the Chief Building Official;
  - The subject development must be complete and available for occupancy by April 30, 2017;
  - The Director of Planning Services must approve an Accessibility Plan, with input from the Oshawa Accessibility Advisory Committee, and this plan must be implemented and maintained;
  - The property, including any building, must be maintained in accordance with the Property Standards By-law and the Ontario Building Code during the period of the Increased Assessment Grant;
  - B.M.D.I. shall continuously comply with any City agreement;
  - That any Increased Assessment Grant will only be provided to B.M.D.I. after all applicable City taxes have been paid by the property owner and/or condominium unit owners;
  - B.M.D.I. must agree to register a Plan of Condominium within 6 months of the first occupancy of the building;
  - Any future condominium unit owner must assign any grant to B.M.D.I. otherwise no Increased Assessment Grant will be provided

since the Increased Assessment Grant Program specifies that “if the property is sold, in whole or in part, before the grant period lapses, the subsequent owner is not entitled to future grant payments”.

- Where possible, B.M.D.I. shall use local trades and suppliers. B.M.D.I. must agree to a notification program to make local trades and suppliers aware of the subject development and allow them an opportunity to bid on the project; and
  - Any other appropriate criteria considered advisable by the City Solicitor, Commissioner of Development Services or Director of Planning Services; and,
- 2) That the Mayor and Clerk be authorized to any execute agreement(s) with the owner to implement the above in a form and content satisfactory to the City Solicitor and the Commissioner of Development Services; and,
  - 3) That the request from Bond and Mary Development Inc. for the first right for use of a total of 85 parking spaces in the Mary Street Parking Garage for a period of 25 years at market rents be considered as a priority by the Community Services Committee; and,
  - 4) That Mayor Henry and Development Services Committee Chair Aker be authorized to write a letter to the Region of Durham in respect to Bond and Mary Development Inc.’s request to reduce or defer the payment of Regional Development charges for the proposed mixed use development on the eastern part of 100 Bond Street East and request that the Region support this project under the Region’s Revitalization Program.” Carried as Amended By Later Votes

There was a request to divide the motion to vote on Part 1 a) separately.

The vote on Part 1 a) Carried on the Following Vote

Affirmative – Councillors Aker, Chapman, Pidwerbecki, Sanders

Negative – Councillor Marimpietri

Absent – None

Moved by Councillor Chapman,

“That Part 1 b) of the motion be amended by deleting the words ‘(T.B.D. by the Development Services Committee)’ and inserting the words ‘approximately \$1.67 million over a period of 10 years’.” Carried

The vote on the main motion Carried as Amended.

### **Items to Be Introduced By Councillors**

None.

**Closed Portion of The Meeting**

None.

**Adjournment**

Moved by Councillor Marimpietri,  
"That the meeting adjourn." Carried

The meeting adjourned at 3:40 p.m.