

To: Development Services Committee

From: Paul D. Ralph, BES, RPP, MCIP, Commissioner,  
Development Services

Report Number: DS-15-203

Date of Report: November 10, 2015

Date of Meeting: November 16, 2015

Subject: City-Initiated Amendments to Zoning By-law 60-94 Regarding  
Flight Training Schools and the Simcoe Street South  
Renaissance Community Improvement Plan

File: B-3200-1312

---

## 1.0 Purpose

The purpose of this report is to provide background information for the Planning Act public meeting on the proposed City-initiated amendments to:

1. Zoning By-law 60-94 to restrict the number of flight training schools in the AP-A and AP-B (Airport) Zones; and
2. Extend the expiry date of Simcoe Street Renaissance Community Improvement Plan from December 31, 2015 to December 31, 2020.

The proposed City-initiated amendments to Zoning By-law 60-94 and the Simcoe Street South Renaissance Community Improvement Plan are set out in Attachment 1 to this report.

A notice advertising the public meeting was mailed to all required public bodies. In addition, a notice was published in the Oshawa This Week and Oshawa Express newspapers.

## 2.0 Recommendation

That the Development Services Committee select an appropriate option as set out in Section 5.2 of Report DS-15-203 dated November 10, 2015.

## 3.0 Executive Summary

Not applicable.

## **4.0 Input From Other Sources**

### **4.1 Departments and Agencies**

No department or agency that provided comments has any objection to the proposed amendments.

## **5.0 Analysis**

### **5.1 Background**

#### **5.1.1 Proposed Flight Training School Zoning Amendment**

On June 29, 2015 Council approved the Airport Business Plan.

The Oshawa Executive Airport is committed to operating within the context of being a good community neighbor.

Keeping with the strategy to be a good neighbour, Council approved the following recommendations:

- That the City not permit any additional flight training schools – currently there are two flight training facilities: Canadian Flight Academy on City owned land subject to a lease at 1250 Airport Boulevard and Durham Flight Centre at 1184 and 1190 Keith Ross Drive.
- That the City not sell or lease airport lots for the purpose of establishing a flight training school.
- That the Airport Manager be directed to decline all new requests relating to the approval of a Transport Canada flight training operating certificate.
- That the City's Zoning By-law 60-94 be amended such that flight training school is no longer a permitted use within AP (Airport) Zone, save and except for Lots 1 and 2 which are municipally known as 1184 and 1190 Keith Ross Drive.

During the discussion on the Airport Business Plan some members of the public objected to the recommendation to only permit a flight training school on effectively one site in the Zoning By-law (1184 and 1190 Keith Ross Drive). If the current flight training school use on this site converted to another use then a flight training school would not be permitted as of right elsewhere even though flight training is an important part of aviation. This is a valid point.

The intent of the Airport Business Plan is to restrict the number of flight training schools to the current number of two and they may be permitted anywhere in the AP-A and AP-B (Airport) Zones. This is the proposed zoning change subject to this Public Meeting.

The Airport Business Plan would also need to be appropriately amended to allow the Airport Manager to approve new requests for a flight training operating certificate provided the maximum number of flight training schools is two and provided the combined

forecasted aircraft movements from all Oshawa based flight training schools is consistent with the aircraft movement forecast outlined in the 2015-2019 Airport Business Plan.

### **5.1.2 Simcoe Street South Renaissance Community Improvement Plan**

On October 19, 2015 Council authorized the Development Services Department to initiate the public process that will allow Council to consider a proposed City-initiated amendment to extend the expiry date of the Simcoe Street South Renaissance Community Improvement Plan from December 31, 2015 to December 31, 2020.

## **5.2 Options**

At the conclusion of the public meeting, two options are available to the Development Services Committee to deal with the proposed amendments.

### **5.2.1 Option 1: Approve the Proposed Amendments**

At the conclusion of a public meeting, proposed amendments are normally referred back to staff for further review and the preparation of a recommendation report. In this case, however, the proposed amendments may not raise public or Committee concern.

Accordingly, the Development Services Committee may wish to pass the following motion in the event no significant issues are raised at the public meeting:

- “1. That the proposed City-initiated amendment to Zoning By-law 60-94 concerning flight training schools and the Simcoe Street South Renaissance Community Improvement Plan, as generally set out in Attachment 1 to Report DS-15-203, dated November 10, 2015 be approved and that the appropriate amendment by-laws be in a form and content acceptable to the City Solicitor and Commissioner of Development Services.
2. That the Airport Business Plan be amended to allow the Airport Manager to approve a request for a Transport Canada flight training operating certificate for a new flight training school to allow for a maximum of two flight training schools provided that the combined forecasted aircraft movements from all Oshawa based flight training schools is consistent with the aircraft movement forecast as outlined in the 2015-2019 Airport Business Plan.”

### **5.2.2 Option 2: Refer the Proposed Amendments Back to Staff**

In the event significant issues are raised by the public and/or the Development Services Committee at the public meeting, then the proposed amendments should be referred back to staff for further review and the preparation of a recommendation report. In this case, the following motion should be passed by the Development Services Committee:

“That the proposed City-initiated amendments to Zoning By-law 60-94 and the Simcoe Street South Renaissance Community Improvement Plan, as generally set out in Attachment 1 to Report DS-15-203, dated November 10, 2015, 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.”

## **6.0 Financial Implications**

Anticipated costs to the City associated with the processing of the proposed amendments are included in the appropriate 2015 Departmental budget and relate primarily to newspaper advertising costs for the public meeting and the passing of any by-laws.

## **7.0 Relationship to the Oshawa Strategic Plan**

Holding a public meeting advances the Accountable Leadership Goal in the Oshawa Strategic Plan.



Paul D. Ralph, BES, RPP, MCIP, Commissioner,  
Development Services

**1. Zoning By-law 60-94 Section: 33: Airport Zones**

**Issue:**

On June 29, 2015 Council approved the 2015-2019 Airport Business Plan and in doing so authorized the Development Services Department to initiate the public process that will allow Council to consider a City-Initiated Amendment to Zoning By-law 60-94 to restrict flight training schools at the Oshawa Executive Airport.

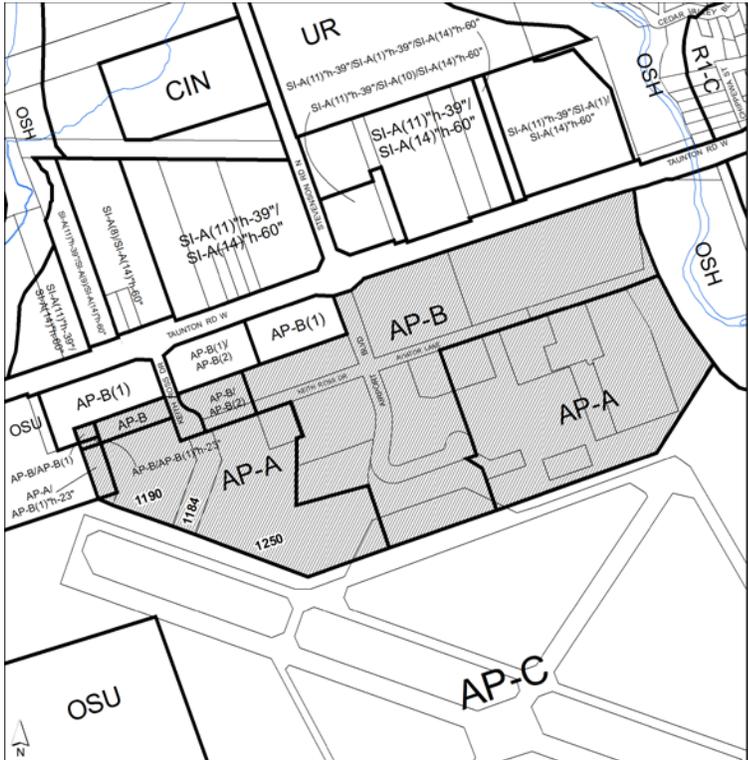
The 2015-2019 Airport Business Plan included a strategy to operate the airport within the context of being a good community neighbour. One of the key directions was that the City not permit any additional flight training schools and advance certain zoning changes to delete flight training schools as a permitted use.

It is appropriate to amend Zoning By-law 60-94 to restrict the total number flight training schools to a maximum of two in the AP-A and AP-B (Airport) Zones which affect the northern part of the Airport (see map).

**Proposed Amendment:**

Amend Section 33 of the Zoning By-law by adding a new Article 33.2.5 as follows:

“33.2.5 Notwithstanding Articles 33.1.2 and 33.1.3 to the contrary, within the AP-A and AP-B Zones, the total number of flight training schools is restricted to a maximum of two.”



## 2. Simcoe Street South Renaissance Community Improvement Plan

### Issue:

On October 19, 2015 Council authorized the Development Services Department to initiate the public process to amend the Simcoe Street South Renaissance Community Improvement Plan by extending the expiry date of the Plan from December 31, 2015 to December 31, 2020.

In 2003 Council adopted the Simcoe Street South Renaissance Community Improvement Plan.

The Simcoe Street South Renaissance Community Improvement Plan applies to lands that are a gateway route to the Downtown from Highway 401.

The Simcoe Street South Renaissance Community Improvement Plan includes a Façade and Accessibility Improvement Loan Program.

The Simcoe Street South Renaissance Community Improvement Plan will expire on December 31, 2015 unless it is extended.

The Simcoe Street South Renaissance Community Improvement Plan is an important tool to assist in upgrading the facades of buildings along this gateway to the Downtown.

The Simcoe Street South Renaissance Community Improvement Plan can be monitored for effectiveness over the next 5 years.

It is appropriate to extend the expiry date of the Simcoe Street South Renaissance Community Improvement Plan to December 31, 2020.

### Proposed Amendment:

Amend Section 5.4 by deleting the date of “December 31, 2015” and replacing with the date of “December 31, 2020” in three places in the paragraph.

