

Minutes of the fourth meeting of the Development Services Committee for 2016, held in the Committee Meeting Room, Oshawa Civic Administration Complex on Monday, April 4, 2016 at 1:30 p.m.

Present: Councillor Aker, Chair
Councillor Pidwerbecki, Vice-Chair
Councillor Carter, Member
Councillor Chapman, Member
Councillor Sanders, Member

Also

Present: Councillor Kerr
L. Davis, Committee Coordinator
M. Medeiros, Manager, Support Services
P. Ralph, Commissioner, Development Services
J. Sharma, City Manager
R. Diskey, Commissioner, Community Services
D. Potts, City Solicitor
M. Leonard, Chief Building Official
W. Munro, Manager, Policy
S. Ashton, Manager, Development and Urban Design
J. Shestowsky, Manager, Administrative and Accessibility Services
D. Tuley, Downtown Development Officer
L. Moebs, Planner B
M. Jones, Planner B
D. Sappleton, Principal Planner

Absent: None.

Public Agenda

Declarations of Pecuniary Interest

Councillor Sanders made a declaration of pecuniary interest concerning Correspondence DS-16-57 as he sits on the board that holds the mortgage for the property and did not take part in discussion or voting on the matter.

Councillor Carter made a declaration of pecuniary interest concerning Correspondence DS-16-57 and Reports DS-16-47 and DS-16-18 as he owns property in the downtown and is a member of the business improvement area and did not take part in discussion or voting on these matters.

Presentations

None.

Delegations

Moved by Councillor Pidwerbecki,
“That the delegations of Angela Mittoni, Richard Senechal, Tracy Christie and Adam White be heard.” Carried

Angela Mittoni, Downtown Oshawa Business Improvement Area presented a video regarding the potential expansion of the Downtown Business Improvement Area boundaries.

The Committee questioned Angela Mittoni.

Moved by Councillor Pidwerbecki, “That the video presentation from Angela Mittoni, Downtown Oshawa Improvement Area be referred to Report DS-16-18 concerning the potential expansion of the Downtown Oshawa Business Improvement Area (B.I.A.) and alteration to the B.I.A. maximum budget.” Carried

Richard Senechal addressed the Development Services Committee requesting the financial incentives provided to Bowood Properties (2006) Inc. related to the redevelopment of the Genosha Hotel be reassigned to Seventy King Oshawa Inc. Richard Senechal stated that Bowood Properties (2006) Inc. has been unable to obtain ownership of the hotel and as such will be unable to fulfil the terms of the agreement for the financial incentives. Richard Senechal advised that he is concerned the property will lose the development credits and that he is committed to seeing the project through.

The Committee questioned Richard Senechal.

Tracy Christie, Bowood Properties (2006) Inc. addressed the Development Services Committee in support of the request to reassign the financial incentives related to the redevelopment of the Genosha Hotel to Seventy King Oshawa Inc. Tracy Christie advised that Bowood Properties (2006) Inc. has been unable to acquire the Genosha Hotel and is supportive of the request to transfer the financial incentives to Seventy King Oshawa Inc.

The Committee questioned Tracy Christie.

Adam White addressed the Development Services Committee to request the creation of a new Advisory Committee for Community Urban Planning. Adam White suggested that residents do not have adequate opportunity to provide input into planning matters and that an Oshawa Urban Advisory Committee would assist in gathering public input. Adam White stated that the Advisory Committee could advise and assist Council to increase stakeholder representation in decision making with regards to matters under the Planning Act.

The Committee questioned Adam White.

Delegation Requests (requires 2/3 vote)

None.

Correspondence Requests

DS-16-57 Richard Senechal - Financial Incentives for the Redevelopment of the Genosha Hotel

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

That based on Correspondence DS-16-57 dated March 24, 2016, the request from Richard Senechal for the financial incentives provided to Bowood Properties (2006) Inc. related to the redevelopment of the Genosha Hotel be reassigned to Seventy King Oshawa Inc., be denied.” Carried on the following vote

Affirmative – Councillors Aker, Chapman and Pidwerbecki

Negative – None.

Declarations of Interest – Councillors Carter and Sanders

Absent – None.

Referrals from City Council

None.

Advisory Committee Reports

None.

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

Moved by Councillor Pidwerbecki,
“That additional agenda-related Correspondence DS-16-65 from Adam White regarding the creation of an Oshawa Urban Advisory Committee be added to the agenda; and,

That the rules of procedure be waived to add Report DS-16-64, ‘Application for Removal of “h-61” Holding Symbol, 707 Harmony Road North, Michael McDougall, (File: Z-2015-01-H)’, being a non-agenda related item, to the consent agenda for the April 4, 2016 meeting of the Development Services Committee.” Carried on 2/3 Vote of Members Present

DS-16-65 Adam White recommending the creation of an Oshawa Urban Advisory Committee

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

That Correspondence DS-16-65 dated April 4, 2016 from Adam White requesting the creation of an Oshawa Urban Advisory Committee be received for information.” Carried

Public Consent Agenda

Moved by Councillor Pidwerbecki,
“That all items listed under the heading of Public Consent Agenda for the April 4, 2016 Development Services Committee meeting be adopted as recommended except Reports DS-16-18, DS-16-46 and DS-16-53.” Carried

Correspondence

DS-16-46 Durham District School Board – Surplus School Site, Dr. F.J. Donevan Collegiate Institute

Recommendation (Carried – See Page 9)

That the Development Services Committee recommend to City Council:

That based on Correspondence DS-16-46 from the Durham District School Board, the Durham District School Board be advised the City of Oshawa has no interest in acquiring the surplus site of Dr. F.J. Donevan Collegiate Institute.

DS-16-47 Downtown Oshawa Business Improvement Area – Operation of the Tourist Information Centre

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Correspondence DS-16-47 from Frances Lazarro, Downtown Oshawa Business Improvement Area (B.I.A.) requesting the ongoing agreement to operate the Tourist Information Centre be changed to a Request for Proposal process, be received for information with the understanding that staff will be reporting on matters related to the Tourist Information Centre in the future after consultation with such stakeholders as the Greater Oshawa Chamber of Commerce, the Region of Durham and the Downtown Oshawa Business Improvement Area.

DS-16-49 Loback Structures - Interest in Acquiring the Oshawa Power and Utilities Corporation Building at 100 Simcoe Street South

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Correspondence DS-16-49 from Donna Loback, Loback Structures expressing an interest in acquiring the Oshawa Power and Utilities Corporation

building at 100 Simcoe Street South be referred to staff for a direct response.

Reports

Administration and Accessibility Services

None.

Building Permit and Inspection Services

None.

Economic Development Services

DS-16-18 Potential Expansion of the Downtown Oshawa Business Improvement Area (B.I.A.) and Alteration to the B.I.A. Maximum Annual Budget

Recommendation (Carried – See Page 9)

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-16-18 dated March 31, 2016, the requests from the Downtown Oshawa Business Improvement Area Board of Management to expand the B.I.A. boundary and to increase the B.I.A. maximum annual budget by an additional \$103,000 to a total of \$246,100 plus an annual consumer price index increase according to the Bank of Canada’s Inflation Calculator be approved, in principle; and,
 - That Staff provide the notice of a proposed by-law to amend By-law 94-74 pursuant to the Municipal Act to expand the B.I.A. boundary; and,
 - That Staff report back to the Development Services Committee and Council on the input received as a result of providing the notice and get direction at that time whether the by-law should be passed; and,
2. That a copy of Report DS-16-18 and the Council resolution be sent to the Downtown Oshawa Business Improvement Area Board of Management.

Engineering Services

None.

Planning Services

DS-16-51 Revised Application for Approval of a Draft Plan of Subdivision (S-O-2015-01), West of Ormond Drive and South of Parkwood Meadows Park, Midhaven Developments Ormond

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That, pursuant to Report DS-16-51 dated March 30, 2016, the revised application submitted by Midhaven Developments Ormond to implement a revised draft plan of subdivision (File S-O-2015-01), which proposes single detached dwellings, an overland flow/servicing block and a local road related to the lands on the west side of Ormond Drive and south of Parkwood Meadows Park be approved subject to conditions as set out in Attachment 5 in the above-noted Report.

DS-16-52 Revised Applications to Amend the Oshawa Official Plan, Samac Secondary Plan and Zoning By-law 60-94, 1900 Simcoe Street North, 1900 Simcoe Street North Ltd.

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-16-52 dated March 30, 2016, the revised application submitted by 1900 Simcoe Street North Ltd. to amend the Oshawa Official Plan (File OPA-2015-03) to permit a maximum residential density of 629 units per hectare at 1900 Simcoe Street North be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed.
2. That, pursuant to Report DS-16-52 dated March 30, 2016, the revised application submitted by 1900 Simcoe Street North Ltd. to amend the Samac Secondary Plan (File OPA-2015-03) to permit a maximum residential density of 629 units per hectare at 1900 Simcoe Street North be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed.
3. That, pursuant to Report DS-16-52 dated March 30, 2016, the revised application submitted by 1900 Simcoe Street North Ltd. to amend Zoning By-law 60-94 (File Z-2015-03) from MU-B “h-48” (Mixed Use) to MU-B (Mixed Use) Zone subject to an appropriate special condition to permit the proposed density and height and implement the proposed site/building design of a mixed use building at 1900 Simcoe Street North be approved in accordance with the comments contained in the above noted Report and the necessary by-law be passed.

- 4. 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-16-53 Declaration of Certain City Lands as Surplus to Municipal Requirements

Recommendation (Carried – See Page 9)

That the Development Services Committee recommend to City Council:

That, pursuant to Report DS-16-53 dated March 30, 2016, the City-owned lands identified in Attachment 1 to Report DS-16-53 be declared surplus to municipal requirements.

DS-16-54 City-initiated Amendments to the Oshawa Official Plan and Zoning By-law 60-94

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That, pursuant to Report DS-16-54 dated March 31, 2016, the Development Services Department be authorized to initiate the statutory public process under the Planning Act for Council to consider proposed amendments to the Oshawa Official Plan, the Samac Secondary Plan and Zoning By-law 60-94 generally in accordance with Attachment 1 to said Report.

DS-16-56 Request Submitted by 2345703 Ontario Inc. (Michael K. Poon) to Amend the Council Conditions of Approval for an Application Under the University and College Area Renaissance Community Improvement Plan, 1645 and 1655 Simcoe Street North (File: B-1200-0027)

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

Whereas City Council approved, subject to conditions, an application submitted by 2345703 Ontario Inc. under the University and College Area Renaissance Community Improvement Plan for an Increased Assessment Grant to facilitate the development of a 15 unit apartment building (60 beds) at 1645 and 1655 Simcoe Street North; and,

Whereas the current conditions of approval for the application required the building to be completed and available for occupancy by December 31, 2015; and,

Whereas the building was not complete and available for occupancy by December 31, 2015 but it was substantially completed by that time; and,

Whereas by letter dated March 18, 2016, 2345703 Ontario Inc. requested an extension to the condition related to completion and occupancy of the building such that the building shall be completed and available for occupancy by June 30, 2016;

Therefore be it resolved that the request dated March 18, 2016 from 2345703 Ontario Inc. to amend the conditions of approval for the application under the University and College Area Renaissance Community Improvement Plan for 1645 and 1655 Simcoe Street North be approved such that now the building shall be completed and available for occupancy by June 30, 2016.

DS-16-64 Application for Removal of “h-61” Holding Symbol, 707 Harmony Road North, Michael McDougall, (File: Z-2015-01-H)

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 Michael McDougall, the owner 707 Harmony Road North, intends to establish a real estate office on the site (see Attachment 1); and,

Whereas the site is zoned R1-C (Residential)/OC-A(3)“h-61” (Office Conversion) which permits professional office and service office uses additional permitted uses on the subject site; and,

Whereas the “h-61” holding symbol is in place to ensure that site plan approval is obtained from the City and a 0.3 metre reserve along the Ripley Crescent frontage is conveyed to the City to ensure no pedestrian or driveway access is permitted to Ripley Crescent; and,

Whereas Michael McDougall has submitted an application to remove the “h-61” holding symbol to advance the issuance of building permits; and,

Whereas a site plan agreement will be executed and the conveyance of the 0.3 metre reserve will be conveyed to the City; and,

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

Therefore, the application submitted by Michael McDougall to remove the “h-61” holding symbol from 707 Harmony Road North to facilitate the development of a real estate office be approved and the necessary by-law be passed.

Other

DS-16-48 Development Services Committee’s Outstanding Items Status Report – First Quarter 2016

Recommendation (Carried – See Page 4)

That the Development Services Committee recommend to City Council:

That Report DS-16-48 dated March 30, 2016 concerning the Development Services Committee’s outstanding items, be received for information.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Sanders,
“That the Development Services Committee adopt the recommendation contained in Correspondence DS-16-46 concerning the surplus school site, Dr. F. J. Donevan Collegiate Institute.” Carried

Moved by Councillor Chapman,
“That the Development Services Committee adopt the recommendation contained in Report DS-16-18 concerning the potential expansion of the Downtown Oshawa Business Improvement Area (B.I.A.) and alteration to the B.I.A. maximum annual budget.” Carried

Moved by Councillor Sanders,
“That the Development Services Committee adopt the recommendation contained in Report DS-16-53 concerning the declaration of certain city lands as surplus to municipal requirements.” Carried

Items to Be Introduced By Councillors

None.

Closed Agenda

Declarations of Pecuniary Interest

(As may be presented by Committee Members)

Matters Requiring Direction

Delegations

None.

Delegation Requests (requires 2/3 vote)

Correspondence Requests

None.

Referrals From City Council

None.

Advisory Committee Reports

None.

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

Closed Consent Agenda

Moved by Councillor Pidwerbecki,
“That all items listed under the heading of Closed Consent Agenda for the April 4, 2016 Development Services Committee meeting be adopted as recommended.” Carried

Confidential Correspondence

None.

Confidential Reports

DS-16-55 Proposed Purchase of City Owned Lands on the west side of Harmony Road North, North of Missom Gate

Recommendation (Carried – See Page 10)

That the Development Services Committee recommend to City Council:

That, pursuant to Closed Report DS-16-55 dated March 30, 2016 the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale for surplus City-owned lands on the west side of Harmony Road North, north of Missom Gate (legally described as Part 1, Plan 40R-27300) generally in accordance with the terms set out in the above-noted Report

together with such documents as are required to complete the transaction in the opinion of the City Solicitor and further that the Agreement and other documents be in a form and content acceptable to the City Solicitor and Commissioner of Development Services.

Discussion Agenda

Matters Excluded From Consent Agenda

None.

Adjournment

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

The meeting adjourned at 2:23 p.m.