

Minutes of the eleventh meeting of the Development Services Committee for 2016, held in the Committee Meeting Room, Council Building, Oshawa Civic Administration Complex at 1:30 p.m. and minutes of a Public Meeting held under the Planning Act in the Council Chamber, Oshawa Civic Administration Complex on Monday, September 12, 2016 at 7:15 p.m.

Present: Councillor Aker, Chair
Councillor Pidwerbecki, Vice-Chair
Councillor Carter, Member
Councillor Chapman, Member
Councillor Sanders, Member
Mayor Henry, Ex Officio

Also

Present: Councillor Kerr
Councillor Shields
L. Davis, Committee Coordinator
P. Ralph, Commissioner, Development Services
W. Munro, Director, Planning Services
K. Benham, Director, Economic Development Services
J. Shestowsky, Manager, Administrative and Accessibility Services
S. Ashton, Manager, Development and Urban
R. Bedic, Principal Planner
M. Kish, Senior Planner
V. Hendry, Planner B
R. Gill, Transportation Engineer

Absent: None.

Public Agenda

Declarations of Pecuniary Interest

Councillor Carter made a declaration of pecuniary interest concerning Report DS-16-155 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 this matter.

Delegations

Moved by Councillor Pidwerbecki,
“That the delegations of Michael McDougall, Joseph Lorusso and Margaret Wilkinson be heard.” Carried

Michael McDougall addressed the Development Services Committee concerning Item 3 of the Fourth Report of Heritage Oshawa related to comments on the property at 707 Harmony Road North stating that as the owner of the property with intent to use the location as a real estate office, he has put significant effort in the renovation and repair of the property. Michael McDougall reviewed the renovations completed to date noting that many of the renovations had to be done for safety reasons. Michael McDougall advised that the lancet-shaped window on the front façade was not replaced with the same

shaped window as the brick and stone work on the façade would not support the shape, therefore in order to retain the original brick, a rectangular window was installed. Michael McDougall stated that the portico was not original to the house and was also a safety liability due to rot, mould and animal nesting and was removed. Michael McDougall further advised that he intends to replace the portico with one in a more colonial style to complement the house.

The Committee questioned Michael McDougall.

Joseph Lorusso, Chair, Heritage Oshawa addressed the Development Services Committee concerning Item 3 of the Fourth Report of Heritage Oshawa related to comments on the property at 707 Harmony Road North, stating that Heritage Oshawa previously reviewed a development application on this property in 2015 and had no objection to the application but requested that the owner maintain the existing façade of the house at that time. Joseph Lorusso stated that since that time, the lancet-shaped window was replaced and the portico was removed, however Heritage Oshawa was only notified of the changes when a local resident approached members of the Committee after the work was complete. Joseph Lorusso stated that Heritage Oshawa would be pleased to work with the owner to come to a solution that maintains the heritage façade of the property but also addresses the safety concerns.

The Committee questioned Joseph Lorusso.

Margaret Wilkinson addressed the Development Services Committee concerning Item 4 of the Fourth Report of Heritage Oshawa related to comments on the property at 707 Harmony Road North, stating that the landmark heritage features of this property including the lancet-shaped window and Italianate portico are gone, and questioned if the building permit allowed for such changes. Margaret Wilkinson advised that she was pleased to see the house being restored, but the changes remove the sense of place and history that the house provided. Margaret Wilkinson urged the Committee to endorse the recommendations of Heritage Oshawa to ask the owner to replace the portico and lancet-shaped window.

Delegation Requests (requires 2/3 vote)

None.

Correspondence Requests

None.

Referrals from City Council

None.

Advisory Committee Reports

Fourth Report of Heritage Oshawa (DS-16-161)

Heritage Oshawa respectfully reports and recommends to the Development Services Committee its Fourth Report.

1. Resolution Regarding Proposal to Alter Trillium Cemetery to Include Grave Marker for the Horse Lady Angela (HTG-16-89)

Recommendation

Whereas the Trillium Cemetery located at 370 Britannia Avenue West in the City of Oshawa and legally described as Part 1, Plan 40R-28768, Oshawa, is designated pursuant to Part IV of the Ontario Heritage Act as being of cultural heritage value or interest; and,

Whereas the burial sites of distinguished horses, including many award-winning thoroughbreds, owned by Windfields Farm and the Taylor family, and the naturalness of the site, which gives the Cemetery its appropriate character, almost like a sacred grove of trees, are identified as heritage attributes pursuant to the Heritage Designation By-law 65-2015, passed on June 8, 2015, and;

Whereas Trillium Cemetery includes the remains of Lady Angela, described by some as the most important horse buried in Trillium Cemetery because of her status as grand dam of Northern Dancer and hence matriarch of a vast dynasty of champion racehorses that continue to dominate the world of horse racing; and,

Whereas Muriel Lennox and John Mappin have applied to the City to undertake the installation of a gravestone to indicate the resting place of Lady Angela within the Trillium Cemetery. The proposed gravestone is intended to be of similar size and composition to that of the other gravestone in the Centre Core Cemetery and to include the engraved name, date of birth, date of death and lineage of Lady Angela; and,

Whereas John Mappin has agreed to pay for the manufacture and installation of the gravestone; and,

Whereas Trillium Cemetery is owned by 2157236 Ontario Limited (Tribute Communities) and Tribute Communities has agreed to the proposal to install a grave marker to commemorate the horse Lady Angela; and,

Whereas Section 33 of the Ontario Heritage Act states that Council must consult with its municipal heritage committee, if one is established, prior to making a decision on the proposal;

Therefore be it resolved:

1. That City Council consent to the installation of a gravestone in the Trillium Cemetery located at 370 Britannia Avenue West, and legally described as Part 1, Plan 40R-28768, Oshawa, and that the gravestone be of similar size

and composition to that of the other gravestones in the Centre Core Cemetery and include the engraved name, birth and death dates and lineage of Lady Angela and that it be paid for by John Mappin; and,

2. That City Council direct the City Clerk to give notice of its decision to the owner of the property, 2157236 Ontario Limited, and the Ontario Heritage Trust.

Moved by Councillor Chapman,

“That the Development Services Committee recommend to City Council:

That Item 1 of the Fourth Report of Heritage Oshawa concerning a grave marker for the horse Lady Angela be endorsed.” Carried

2. Restoration of the R.S. McLaughlin Estate Parkwood National Historic Site Greenhouses 1, 2, 4, 5 and 6 (HTG-16-97)

Recommendation

Whereas the R. S. McLaughlin Estate Parkwood National Historic Site (Parkwood) located at 270 to 290 Simcoe Street North in the City of Oshawa is designated pursuant to Part IV of the Ontario Heritage Act as being of architectural and historical interest; and,

Whereas the greenhouses are identified as heritage attributes pursuant to the Heritage Designation By-law 5-2000 passed on January 17, 2000; and,

Whereas the greenhouse complex, in general, has been a conservation priority of The Parkwood Foundation for many years; and,

Whereas The Parkwood Foundation has applied to the City to undertake conservation work on Greenhouses 1, 2, 4, 5 and 6. The proposed conservation work includes the preservation of Greenhouses 1, 2, 4 and 5 and the restoration of Greenhouse 6 (the Palm House) to restore the structures to their original appearance circa 1972, of which the conservation work will include: replacing the glazing as necessary to match the original configuration and material, including the curved eave glass on Greenhouse 6 (the Palm House) only (for Greenhouses 1, 2, 4 and 5 curved clear acrylic panels will be used in lieu of the curved eave glass), replacing degraded wood and metal elements to match the originals in size and profile, and the stabilization of masonry elements by repair or replacements in kind as necessary; and,

Whereas Section 33 of the Ontario Heritage Act states that Council must consult with its municipal heritage committee, if one is established, prior to making a decision on the application;

Therefore be it resolved:

1. That City Council consent to the conservation work on Greenhouses 1, 2, 4, 5 and 6 of R. S. McLaughlin Estate Parkwood National Historic Site on the basis of the terms and conditions proposed by The Parkwood

Foundation, namely, that it is The Parkwood Foundation’s intention to undertake the preservation of Greenhouses 1, 2, 4 and 5 and the restoration of Greenhouse 6 (the Palm House) to restore the structures to their original appearance circa 1972, of which the conservation work will include: replacing the glazing as necessary to match the original configuration and material, including the curved eave glass on Greenhouse 6 (the Palm House) only (for Greenhouses 1, 2, 4 and 5 curved clear acrylic panels will be used in lieu of the curved eave glass), replacing degraded wood and metal elements to match the originals in size and profile, and the stabilization of masonry elements by repair or replacements in kind as necessary; and,

- 2. That City Council direct the City Clerk to give notice of its decision to the owner of the property and the Ontario Heritage Trust.

Moved by Councillor Sanders,

“That the Development Services Committee recommend to City Council:

That Item 2 of the Fourth Report of Heritage Oshawa concerning the Parkwood National Historic Site Greenhouses be endorsed.” Carried

- 3. Demolition of Italianate – Style Front Porch at 707 Harmony Road North (HTG-16-98)

Recommendation

Whereas the property at 707 Harmony Road North is identified as a Class A property in the Heritage Oshawa Inventory of City of Oshawa Heritage Properties; and,

Whereas a Class A property is defined as a property with the highest potential for designation pursuant to the Ontario Heritage Act; and,

Whereas the house on the property at 707 Harmony Road North was built in 1835 and other than the Oshawa Community Museum’s Guy House, is the oldest house in Oshawa and is one of a very few typical style of rural Ontario stone farmhouse structures remaining in Oshawa; and,

Whereas the intricate detail of the Italianate-style front porch of 707 Harmony Road North is unique to this type of rural Ontario stone farmhouse structure; and,

Whereas the City of Oshawa has a process to review and comment on proposed alterations for 707 Harmony Road North (HTG-15-88) and passed the following resolution:

“That Heritage Oshawa has no objection to the proposed Official Plan and Zoning By-law Amendments to permit a real estate office or other types of service office and professional office uses on the property at 707 Harmony Road North and that Heritage Oshawa would like to see the existing front façade of the original building maintained.”

Whereas on December 14, 2015 Council endorsed the recommendation from the Development Services Committee to amend the Eastdale Part II Plan (File OPA-2015-01) to permit service office and professional office uses as additional permitted uses at 707 Harmony Road North and to amend Zoning By-law 60-94 (File Z-2015-01) to permit service office and professional office uses as additional permitted uses at 707 Harmony Road North in accordance with the comments contained in Report DS-15-223 dated December 2, 2015, and the necessary by-law be passed; and,

Whereas Report DS-15-223 stated that the existing front façade and the heritage character of the existing building is proposed to be maintained; and,

Whereas it has come to the attention of Heritage Oshawa that the Italianate-style front porch of the house at 707 Harmony Road North is demolished and that the demolition of the front porch was not included as part of the owner's proposal to the City; and,

Whereas it has come to the attention of Heritage Oshawa that the owner has replaced all the windows on the front façade of the house and that the lancet shaped window on the front façade above the front porch was not replaced with a similar shaped window and that this work was not included as part of the owner's proposal to the City;

Therefore be it resolved that in order to recreate the appearance of the façade of this unique and special heritage house as it would have appeared prior to the demolition of the front porch and replacement of the lancet-shaped window:

1. That when the owner of 707 Harmony Road North rebuilds the front porch it is to be completed in a similar Italianate-style and size with similar materials to that which was demolished; and,
2. That the owner replace the window above the front porch with a lancet-shaped window.

Moved by Mayor Henry,

"That the Development Services Committee recommend to City Council:

That Item 3 of the Fourth Report of Heritage Oshawa concerning comments on the property at 707 Harmony Road North be endorsed." Lost

Moved by Councillor Chapman,

"That the Development Services Committee recommend to City Council:

That Item 3 of the Fourth Report of Heritage Oshawa concerning comments on the property at 707 Harmony Road North be received for information." Carried

First Report of Oshawa Active Transportation Advisory Committee (DS-16-160)

The Oshawa Active Transportation Advisory Committee respectfully reports and recommends to the Development Services Committee its First Report.

1. Requesting the Provincial Government be Urged to Recommend the Provincial Cap and Trade Programs be Leveraged to Provide \$200 million for Cycling Infrastructure across Ontario (OATAC-16-12)

Recommendation

Whereas the Provincial Government implemented the *Ontario Climate Change Strategy* to reduce greenhouse gas emissions to 80% below 1990 levels by 2050, and build a prosperous low-carbon economy; and,

Whereas increasing cycling can play an important role in meeting our climate change goals; and,

Whereas Ontario's daily cycling mode share is currently 1%; and,

Whereas an Ontario wide poll shows that 4.5% of Ontario residents ride a bike at least monthly and that 54% of Ontario residents want to cycle more than they currently do; and,

Whereas of the 54% polled, 67% would be encouraged to cycle more if there were more and better cycling infrastructure available (Share the Road, 2014); and,

Whereas Oshawa Active Transportation Advisory Committee (O.A.T.A.C) is very focused on cycling and climate change; and,

Whereas O.A.T.A.C has a mandate to advise and assist City Council and City staff to enhance and promote a safe, sustainable and accessible active transportation system throughout the City; and,

Whereas the City of Oshawa has an Integrated Transportation Master Plan and an Active Transportation Master Plan of which O.A.T.A.C feels cycling needs to be a major component; and,

Whereas there is a strong interest among municipalities in building and investing in cycling infrastructure, as demonstrated during the first funding round of the Ontario Municipal Cycling Infrastructure Program, which received 150 applications from municipalities; and,

Whereas Oshawa has made some progress closing gaps in our cycling infrastructure. Closing these gaps will increase the safety of our residents and encourage more cycling as a means of transportation; and,

Whereas an investment in cycling infrastructure will complement the investments in public transit being made at both the provincial and federal levels; and,

Whereas an investment in cycling infrastructure will improve and enhance the multi-use trail system; and,

Whereas cycling plays an important role in promoting public transit helping Ontarians make the journey to and from the nearest transit stations more convenient and accessible; and,

Whereas an investment in cycling would support and promote cycling for all trips under five kilometers including walking and cycling routes to schools; and,

Whereas a funding commitment will help to achieve the goals set out in *Ontario Climate Change Strategy* and also contribute to meeting objectives in the Province's CycleOn Strategy and Action Plan 1.0; and,

Whereas these funds would be in addition to and not impact any other funding provided by the Province for infrastructure;

Therefore be it resolved that Council move to:

1. Urge the Provincial Government to recommend that the provincial cap and trade programs be leveraged to provide \$200 million for cycling infrastructure across Ontario over the next 4 years;
2. Urge Mayor Henry to write a letter of support to the Minister of the Environment and Climate Change;
3. Encourage other municipalities across Ontario through the Association of Municipalities of Ontario to join with Oshawa in calling on the Province to act.

Moved by Councillor Carter,

"That the Development Services Committee recommend to City Council:

That the First Report of the Oshawa Active Transportation Advisory Committee be endorsed." Carried

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

Public Consent Agenda

Moved by Councillor Pidwerbecki,

"That all items listed under the heading of Public Consent Agenda for the September 12, 2016 Development Services Committee meeting be adopted as recommended except Report DS-16-155." Carried

Correspondence

DS-16-157 Todd Fischer Submitting Comments Regarding the Proposal of Bruce Street Developments Limited (Medallion Corporation) for 135 Bruce Street and Certain City-Owned Lands

Recommendation (Carried – See Page 8)

That Correspondence DS-16-157 dated June 21, 2016 from Todd Fischer submitting comments regarding a proposal from Bruce Street Developments Limited (Medallion Corporation) for 135 Bruce Street and certain City-owned lands be referred to staff for consideration as part of the future report on the matter.

DS-16-159 Town of Whitby Providing a Copy of Correspondence Sent to the National Energy Board Concerning the Town’s Position on the Update to the TransCanada Eastern Mainline Pipeline

Recommendation (Carried – See Page 8)

That the Development Services Committee recommend to City Council:

That Correspondence DS-16-159 dated July 7, 2016 from the Town of Whitby being a copy of correspondence sent to the National Energy Board concerning the Town’s position on the updated route for the TransCanada Eastern Mainline Pipeline be received for information.

DS-16-163 Metrolinx Discussion Paper for the Next Regional Transportation Plan for Greater Toronto and Hamilton Area

Recommendation (Carried – See Page 8)

That the Development Services Committee recommend to City Council:

That Correspondence DS-16-163 dated August 2016 from Metrolinx providing a discussion paper for the next Regional Transportation Plan for the Greater Toronto and Hamilton area be referred to staff for direct comments to Metrolinx and that such comments reflect Council’s support for the GO Transit extension through Central Oshawa to Bowmanville and the implementation of the City’s Integrated Transportation Plan and Active Transportation Plan.

Reports

Administration and Accessibility Services

None.

Building Permit and Inspection Services

None.

Economic Development Services

DS-16-155 Proposed Expansion of the Downtown Oshawa Business Improvement Area (B.I.A.) and Alteration to the B.I.A.'s Maximum Annual Budget

Recommendation (Amended – See Page 14)

That the Development Services Committee recommend to City Council:

1. That in accordance with Report DS-16-155, By-law 94-74 which relates to the Downtown Oshawa Business Improvement Area (B.I.A.) be amended by by-law generally in accordance with the draft by-law forming part of Attachment 3 to said Report by:
 - Expanding the B.I.A. boundary;
 - Increasing 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; and,

That said amending by-law be in a form and content acceptable to the City Solicitor and Commissioner of Development Services; and,

2. That a copy of Report DS-16-155 and the related Council resolution be forwarded to the Downtown Oshawa Business Improvement Area Board of Management.

Engineering Services

None.

Planning Services

DS-16-147 Applications to Amend the Pinecrest Part II Plan of the Oshawa Official Plan and Zoning By-law 60-94 for lands at 1211 and 1221 Taunton Road East and 1335 Benson Street and Block 87 of 40M-2260, Benson Street GP Limited

Recommendation (Carried – See Page 8)

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-16-147 dated September 8, 2016, the application submitted by Benson Street GP Limited to amend the Pinecrest Part II Plan (File OPA-2016-05) to permit high density residential uses on the eastern portion of 1221 Taunton Road East and to adjust the boundary of the Planned Development Area and to permit a commercial physiotherapy use as a main use in the existing Harmony Hill retirement home at 1335 Benson Street be approved in accordance with the

comments contained in the above Report and the necessary by-law be passed; and,

- 2. That, pursuant to Report DS-16-147 dated September 8, 2016, the application submitted by Benson Street GP Limited to amend Zoning By-law 60-94 (File Z-2016-09) to permit R6-C (Residential) uses, including apartment buildings, homes for the aged, nursing homes and retirement homes, at 1211 and 1221 Taunton Road East and Block 87, 40M-2260 and to permit a commercial physiotherapy use as a main use in the existing Harmony Hill retirement home at 1335 Benson Street be approved in accordance with the comments contained in the above 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-16-151 Proposed Extension of Interim Control By-law 123-2015 – Land Use Study for the Drive Through Facilities in the City of Oshawa

Recommendation (Carried – See Page 8)

That the Development Services Committee recommend to City Council:

Whereas on October 19, 2015, City Council directed, pursuant to Report DS-15-193 that staff undertake a land use study related to drive through facilities; and,

Whereas on October 19, 2015, City Council passed Interim Control By-law 123-2015 for a period of one year to prohibit the development of new vehicle drive through facilities in certain parts of the City while the study is being undertaken; and,

Whereas staff prepared Report DS-16-73 dated May 5, 2016, providing an overview of the Draft Background Study of drive through facilities in the City of Oshawa and requesting authorization for staff to hold a Public Open House to obtain comments from stakeholders including City residents and the development community on the Draft Background Study; and,

Whereas, on May 24, 2016, Council authorized staff to hold a Public Open House to obtain input from stakeholders including the development community and City residents on the Draft Background Study of drive through facilities in the City of Oshawa pursuant to Report DS-16-73; and,

Whereas on June 15, 2016 a Public Open House was held; and,

Whereas, staff continue to review and will incorporate stakeholder and public feedback on the Draft Background Study into a Final Background Study; and,

Whereas, Interim Control By-law 123-2015 expires on October 19, 2016 unless extended; and,

Whereas, pursuant to Section 38 of the Planning Act, Council can extend the period in which an Interim Control By-law is in effect for a maximum duration of two years which in this case is until October 19, 2017;

Therefore, Interim Control By-law 123-2015 be extended to October 19, 2017 to permit the completion of the Final Background Study, obtain public input on proposed planning instruments (e.g. Official Plan, zoning and urban design guidelines) to guide the development of drive through facilities and the implementation of any recommended planning instruments.

DS-16-153

Request from the Municipality of Clarington to set up an Affordable Housing Task Force

Recommendation (Carried – See Page 8)

That the Development Services Committee recommend to City Council:

Whereas on September 28, 2015, City Council referred to the Development Services Department for a report a request dated July 3, 2015 from the Municipality of Clarington that Oshawa Council endorse the establishment of an Affordable Housing Task Force comprised of Durham Region and its eight area municipalities; and,

Whereas on November 25, 2015 Regional Council directed Regional staff to report back to the Joint Finance & Administration, Planning & Economic Development and Health & Social Services Committee on the Terms of Reference for a proposed Task Force for the maintenance and creation of Affordable and Seniors' Housing once the Provincial Long-Term Affordable Housing Strategy update was released; and,

Whereas on March 14, 2016 the Province released the update of the Provincial Long-Term Affordable Housing Strategy; and,

Whereas on June 16, 2016, the Regional Joint Finance & Administration, Planning & Economic Development and Health & Social Services Committee considered Report 2016-J-24 which outlines the Terms of Reference for a Regional Task Force on Affordable and Seniors' Housing; and,

Whereas on June 29, 2016 Regional Council resolved to adopt the Terms of Reference for a Regional Council Task Force on Affordable and Seniors' Housing, as amended by the Joint Finance &

Administration, Planning & Economic Development and Health & Social Services Committee; and,

Whereas a number of Regional Council Members, including Councillors Carter and Chapman and the Regional Chair, were appointed to the Task Force; and,

Whereas the Task Force will report back on recommended strategies to support affordable and seniors' rental housing in advance of the 2017 Regional Social Housing Servicing and Financing Study and a key focus of the Task Force is to foster collaboration with area municipalities during the process;

Therefore be it resolved, that correspondence dated July 3, 2015 from the Municipality of Clarington regarding the creation of an Affordable Housing Task Force be received for information in consideration of the creation of the Regional Task Force on Affordable and Seniors' Housing.

DS-16-156

Proposed Conveyance of Lands on the South Side of Britannia Avenue East, Opposite Secreto Court, from Neighbourhoods of Windfields Limited to the City of Oshawa for Open Space and Recreation Purposes

Recommendation (Carried – See Page 8)

That the Development Services Committee recommend to City Council:

Whereas on August 15, 2006 Plan 40M-2319 containing Block 242 was registered under the ownership of Neighbourhoods of Windfields Limited; and,

Whereas Neighbourhoods of Windfields Limited has continued to retain ownership of Block 242 since the time Plan 40M-2319 was registered; and,

Whereas Block 242 has an area of 0.2165 hectares (0.53 ac.), is contiguous with City-owned valleylands to the east, west and south of Block 242 associated with the Oshawa Creek and is designated for Open Space and Recreation purposes in both the Oshawa Official Plan and the Windfields Part II Plan; and,

Whereas Neighbourhoods of Windfields Limited has proposed that Block 242 be conveyed to the City of Oshawa at no cost for open space and recreation purposes;

Therefore be it resolved that the City accept the conveyance of Block 242 on Plan 40M-2319 from Neighbourhoods of Windfields Limited for open space and recreation purposes at no cost to the City; and,

The Mayor and Clerk be authorized to execute any documents as are required to complete the transfer of ownership in the opinion of the City

Solicitor, such documents to be in a form and content acceptable to the City Solicitor and Commissioner of Development Services.

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Chapman,

“That the Development Services Committee adopt the recommendation contained in Report DS-16-155 concerning the proposed expansion to the Downtown Oshawa Business Improvement Area and alteration to its annual budget.” Carried as amended

Moved by Councillor Chapman,

“That the first bullet of paragraph one of the recommendation contained in Report DS-16-155 be amended by adding the following after ‘expanding the B.I.A. boundary: ‘with City services continuing at the existing approved levels in each of the current and expanded B.I.A. boundaries.’ Carried

The vote on the motion Carried as amended.

Items to Be Introduced By Councillors

DS-16-169 Proposed Community Improvement Plan for the North Side of Harbour Road, Generally between Simcoe Street South and Montgomery Creek

Moved by Mayor Henry,

“Whereas, the north side of Harbour Road, generally between Simcoe Street South and the Montgomery Creek includes vacant and/or underutilized land with the potential to be redeveloped into high quality residential area that is in proximity to Lake Ontario, the Harbour and Lakeview Park; and,

Whereas, the Harbour Road Land Use Study was completed in 2006 and concluded that a residential focus is the preferred land use option for certain lands north of Harbour Road, west of Montgomery Creek, south of Wellington Avenue East and east of Simcoe Street South; and,

Whereas, the lands are zoned to permit a range of low, medium and high density residential uses; and,

Whereas, there is merit in investigating Community Improvement Plan incentives for development on the north side of Harbour Road, generally between Simcoe Street South and the Montgomery Creek, in order to further encourage appropriate residential development on the vacant and/or underutilized lands;

Therefore be it resolved, that staff prepare a report related to the preparation of a Community Improvement Plan for the lands generally north of Harbour Road between Simcoe Street South and the Montgomery Creek and south of Wellington Avenue East and report back to a joint meeting of Development Services Committee and Finance Committee.” Carried

Closed Agenda

Declarations of Pecuniary Interest

(As may be presented by Committee Members)

Matters Requiring Direction

Delegations

None.

Delegation Requests (requires 2/3 vote)

None.

Correspondence Requests

None.

Referrals From City Council

None.

Advisory Committee Reports

None.

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

None.

Closed Consent Agenda

Moved by Councillor Pidwerbecki,
"That all items listed under the heading of Closed Consent Agenda for the
September 12, 2016 Development Services Committee meeting be adopted as
recommended." Carried

Correspondence

None

Reports

DS-16-152 Proposed Purchase of City-owned Lands on the West Side of Harmony Road North, North of Missom Gate

Recommendation (Carried – See Page 15)

That the Development Services Committee recommend to City Council:

That pursuant to Closed Item DS-16-152, the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale for the sale of 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 Closed Report DS-16-55 dated March 30, 2016 as amended by the recitals in Closed Item DS-16-152 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.

Recess

Moved by Councillor Chapman,
“That the meeting recess.” Carried

The meeting recessed at 2:41 p.m. and reconvened in the Council Chamber at 7:15 p.m. for the purpose of holding a Public Meeting under the Planning Act to consider three applications with the following in attendance: Councillors Aker, Carter, Chapman, Pidwerbecki, Sanders, and Mayor Henry. Also in attendance were Councillors Kerr and Shields, the Committee Coordinator; the Commissioner, Development Services; the Manager, Development and Urban Design; D. Sappleton, Principal Planner and M. Jones, Planner ‘B’.

Planning Act Public Meetings

The Chair outlined the purpose and format of the public meeting.

Declarations of Pecuniary Interest

None.

Application 1: DS-16-146

Presentation

Michael Fry of D.G. Biddle and Associates presented an overview of applications submitted by Gul Jacobi (Katanna Developments) for lands located at 512 Thornton Road North for approval of Draft Plan of Subdivision and Common Elements Draft Plan of Condominium.

The Committee questioned Michael Fry.

Delegations

Christine Glover-Mainse addressed the Development Services Committee in opposition to the applications submitted by Gul Jacobi (Katanna Developments) for lands located at 512 Thornton Road North for approval of Draft Plan of Subdivision and Common Elements Draft Plan of Condominium, stating that notification should have been sent to those farther than 400 feet from the subject property as this development will affect the entire neighbourhood. Christine Glover-Mainse also stated that she is vehemently opposed to allowing access off of Aztec Drive and questioned the proposed road width and garage sizes.

John Mainse addressed the Development Services Committee in opposition to the applications submitted by Gul Jacobi (Katanna Developments) for lands located at 512 Thornton Road North for approval of Draft Plan of Subdivision and Common Elements Draft Plan of Condominium, stating he is concerned about safety issues in the area including fire truck access as well as traffic at the exit of the subdivision. John Mainse suggested that there will be issues with snow removal, parking and garbage collection if the subdivision is developed as presented. John Mainse also expressed concern with the fact that the subdivision is unable to exit onto Thornton Road.

Murray Caster addressed the Development Services Committee in opposition to the applications submitted by Gul Jacobi (Katanna Developments) for lands located at 512 Thornton Road North for approval of Draft Plan of Subdivision and Common Elements Draft Plan of Condominium, questioning the size of the proposed houses and suggested that they would not fit on the proposed lot sizes. Murray Caster further suggested that if the development cannot exit on Thornton Road, it should not be approved.

Correspondence

Moved by Councillor Pidwerbecki,

“That Correspondence DS-16-167 from Fran Walker and Correspondence DS-16-168 Christine Glover-Mainse and John Mainse submitting comments in opposition to the applications for approval of a Draft Plan of Subdivision and for approval of a Common Elements Draft Plan of Condominium for 512 Thornton Road North be added to the Development Services Committee agenda for September 12, 2016.” Carried on a 2/3 vote of members present

DS-16-167 Fran Walker Submitting Comments in opposition to the applications submitted by Gul Jacobi (Katanna Developments) for Draft Plan of Subdivision and for Approval of a Common Elements Plan of Subdivision for 512 Thornton Road North

Moved by Councillor Pidwerbecki,

“That Correspondence DS-16-167 from Fran Walker dated September 12, 2016 submitting comments in opposition to the application submitted Gul Jacobi (Katanna Developments) for a Draft Plan of Subdivision and for approval of a Common Elements Plan of Subdivision be referred staff for consideration as part of the forthcoming report on the matter.” Carried

DS-16-168 Christine Glover-Mainse and John Mainse Submitting Comments in opposition to the applications submitted by Gul Jacobi (Katanna Developments) for Draft Plan of Subdivision and for Approval of a Common Elements Plan of Subdivision for 512 Thornton Road North

Moved by Councillor Pidwerbecki,

“That Correspondence DS-16-168 from Christine Glover-Mainse and John Mainse dated September 11, 2016 submitting comments in opposition to the application submitted Gul Jacobi (Katanna Developments) for a Draft Plan of Subdivision and for approval of a Common Elements Plan of Subdivision be referred staff for consideration as part of the forthcoming report on the matter.” Carried

Report

DS-16-146 Applications for Approval of a Draft Plan of Subdivision and for Approval of a Common Elements Draft Plan of Subdivision, 512 Thornton Road North, Gul Jacobi (Katanna Developments)

Moved by Councillor Pidwerbecki,

“That pursuant to Report DS-16-146 dated September 8, 2016, the applications submitted by Gul Jacobi for approval of a draft plan of subdivision (File: S-O-2016-07) and for approval of a draft plan of condominium (File: C-O-2016-01) to permit a common elements draft plan of condominium tied to the development of 8 single detached dwelling lots at 512 Thornton Road North 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

Application 2: DS-16-148

Presentation

Katie Pandey of D. G. Biddle and Associates presented an overview of the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North.

The Committee questioned Katie Pandey.

Delegations

Margaret Wilkinson addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating her primary concern is with a significant spot zoning change that will contribute to commercial creep along Simcoe Street North. Margaret Wilkinson also expressed concern that Lakeridge Health owns the former Rundle House property that was not developed into a cancer lodge as previously proposed and that residential housing in this area will begin to disappear.

Robert Snell addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating that Hospital Court forms a natural boundary for the edge of the residential area on Simcoe Street North and that no institutional uses should be

permitted north of that Court. Robert Snell also suggested that there are already significant concerns with traffic and parking in the surrounding neighbourhood and suggested making the smaller streets less accessible to push traffic onto the arterial roads.

Jane Hurst addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating that there is an abundance of available office space in Oshawa and it is not necessary for these offices to be located adjacent to the hospital. Jane Hurst suggested that Lakeridge Health did not demonstrate good stewardship of heritage buildings in Oshawa with the Rundle House and questioned the appropriateness of the proposed use in the midst of the residential homes and the permission for off-site parking when this would not be allowed elsewhere. Jane Hurst further suggested that as Lakeridge Health owns this property as well as several others in the area, it appears to be a land assembly and stated that the City should know what the future vision is for the whole area instead of just one property.

Ashley Henderson addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating her biggest concern is traffic on Aberdeen Street with people looking for additional parking, and indicated she wished to keep the area strictly residential and that additional traffic protection should be provided.

Cathy Clarke addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating that this proposal appears to be part of a large land assembly taking place. Cathy Clarke suggested that Lakeridge Health owns 90% of the properties between this property and Hospital Court, therefore this application should be submitted as part of an overall Official Plan Amendment with site plan process for the whole area.

Michelle Rutledge addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating that she has concerns that commercial creep is happening on Simcoe Street North and expressed concerns with the increase in traffic.

David Mills, addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating that there are many other suitable locations for offices just south of the property that could be used instead of rezoning this residence. David Mills stated that the Committee should question how the zoning change would impact the neighbourhood, if it will maintain the intent of the official plan and if it is appropriate and desirable in the neighbourhood.

Michael Clarke addressed the Development Services Committee in opposition to the application to amend Zoning By-law 60-94 submitted by Lakeridge Health for 382 Simcoe Street North stating that there is other available office space in the city that could be used instead of rezoning this property. Michael Clarke stated that the community has been here before with a similar issue and took the case to the Ontario Municipal Board.

Correspondence

Moved by Councillor Pidwerbecki,

“That Correspondence DS-16-165 from Christine Arsenault dated September 9, 2016 submitting comments in opposition to the application submitted by Lakeridge Health Oshawa to amend Zoning By-law 90-64 for 382 Simcoe Street North be added to the Development Services Committee agenda for September 12, 2016.” Carried on a 2/3 vote of members present.

DS-16-165 Christine Arsenault Submitting Comments in opposition to the application submitted by Lakeridge Health Oshawa to amend Zoning By-law 60-94 for 382 Simcoe Street North

Moved by Councillor Pidwerbecki,

“That Correspondence DS-16-165 from Christine Arsenault dated September 9, 2016 submitting comments in opposition to the application submitted by Lakeridge Health Oshawa to amend Zoning By-law 90-64 for 382 Simcoe Street North be referred staff for consideration as part of the forthcoming report on the matter.” Carried

Report

DS-16-148 Application to Amend Zoning By-law 60-94, 382 Simcoe Street North, Lakeridge Health

Moved by Councillor Pidwerbecki,

“That pursuant to Report DS-16-148 dated September 8, 2016, the application submitted by Lakeridge Health to amend Zoning By-law 60-94 (File: Z-2016-11) to permit administrative offices associated with the Lakeridge Health Foundation as an additional permitted use at 382 Simcoe Street North 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

Moved by Councillor Carter,

“That the meeting recess.” Carried

The meeting recessed at 9:00 p.m. and reconvened at 9:06 p.m. with the following in attendance: Councillors Aker, Carter, Chapman, , Pidwerbecki, Sanders and Mayor Henry. Also in attendance were Councillors Kerr and Shields, the Committee Coordinator, the Commissioner, Development Services, the Director of Planning, the Manager, Development and Urban Design, and M. Jones, Planner ‘B’.

Application 3: DS-16-150

Presentation

Katie Pandey and Michael Fry of D.G. Buddle and Associates presented an overview of applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East.

The Committee questioned Katie Pandey and Michael Fry.

Delegations

Kim Dolliver addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East citing traffic, drainage and loss of privacy concerns.

Michael Barrett addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating that he has lived in the area for over 30 years and has noticed the steady increase in traffic and accidents near his home. Michael Barrett stated that the current application is for 17 homes; however there is an additional block of land (referred to as Block 18) that has not yet been addressed but will most likely contain more residences. Michael Barrett outlined concerns with commercial creep, traffic, parking, privacy and drainage issues and stated the proposed application does not fit in the existing community. Michael Barrett also noted that there are trees on the land that are over 150 years old that should be preserved.

Denise Sebastian-Pyper addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating that any traffic study not done during school year may not be accurate as this is a very busy area for school traffic. Denise Sebastian-Pyper also noted concerns with the increased traffic causing roadkill and garbage on neighbourhood roads. Denise Sebastian-Pyper suggested that drainage will be an issue and recommended waiting until the owner determine what will happen to Block 18.

Eric Johnson addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating the additional traffic anticipated on Keewatin Street is his primary concern, noting the lack of sidewalk on one side of the street.

Jilaine Shay addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating she is concerned with traffic and how the plan will affect the character of the neighbourhood.

Donna Bradley addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94

submitted by 1015 King Inv. Ltd. for 1015 King Street East stating that there are already existing drainage concerns in the area and questioned who will fix her pool if it becomes unusable due to drainage. Donna Bradley also noted additional concerns with privacy as neighbours will be able to see into her back yard.

Barry Denyer addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating the traffic in this area is already heavy and expressed concern with the lack of visibility of the existing traffic light.

Don O'Connell addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East citing concerns with drainage, traffic and safety.

Murray Barrett addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating he is concerned with what will be developed on Block 18 and future privacy issues.

Brice Griggs addressed the Development Services Committee in opposition to the applications for approval of Draft Plan of Subdivision and to amend Zoning By-law 60-94 submitted by 1015 King Inv. Ltd. for 1015 King Street East stating that he supports progress, however not this plan. Brice Griggs stated that he has concerns with what will be developed on Block 18 as well as concerns with traffic and drainage. Brice Griggs also noted that the site used to be a garden centre and may have soil contaminants from various chemicals and questioned if Oshawa will pay to clean it up if the builder abandons the project.

Correspondence

DS-16-162 Donna Shank Submitting Comments in Opposition to the Applications for Approval of Draft Plan of Subdivision and Zoning By-law Amendment for 1015 King Street East

Moved by Councillor Pidwerbecki,
"That Correspondence DS-16-162 dated August 23, 2016 from Donna Shank submitting comments in opposition to the applications for approval of Draft Plan of Subdivision and Zoning By-law Amendment for 1015 King Street East be referred to staff for consideration in the future report on the matter." Carried

Moved by Councillor Pidwerbecki,
"That Correspondence DS-16-164 from Brett Griggs dated September 8, 2016 submitting comments in opposition to the application submitted by 1015 King Inv. Ltd. to amend Zoning By-law 90-64 and for approval of a Draft Plan of Subdivision for 1015 King Street East be added to the Development Services Committee agenda for September 12, 2016." Carried on a 2/3 vote of members present

DS-16-164 Brett Griggs Submitting Comments in Opposition to the Applications for Approval of Draft Plan of Subdivision and Zoning By-law Amendment for 1015 King Street East

Moved by Councillor Pidwerbecki,
“That Correspondence DS-16-164 from Brett Griggs dated September 8, 2016 submitting comments in opposition to the application submitted by 1015 King Inv. Ltd. to amend Zoning By-law 90-64 and for approval of a Draft Plan of Subdivision for 1015 King Street East be referred staff for consideration as part of the forthcoming report on the matter.”
Carried

Report

DS-16-150 Applications to Amend Zoning By-law 60-94 and for Approval of a Draft Plan of Subdivision, 1015 King Street East, 1015 King Inv. Ltd.

Moved by Councillor Pidwerbecki,
“That pursuant to Report DS-16-150 dated September 8, 2016, the applications submitted by 1015 King Inv. Ltd to amend Zoning By-law 60-94 (File Z-2016-10) and for approval of a Draft Plan of Subdivision (File S-O-2016-06) to permit the development of 17 lots for single detached dwellings, a future development block, a road widening block and the extension of Queensdale Avenue on lands at 1015 King Street East 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

Adjournment

Moved by Councillor Sanders,
“That the meeting adjourn.” Carried

The meeting adjourned at 10:15 p.m.