

To: Development Services Committee

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

Report Number: DS-19-186

Date of Report: October 16, 2019

Date of Meeting: October 21, 2019

Subject: Applications to Amend the Oshawa Official Plan, Samac  
Secondary Plan and Zoning By-law 60-94, 1664 Simcoe Street  
North, 17 and 25 Niagara Drive, Karmina Developments Ltd.

File: OPA-2019-03, Z-2019-12

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### 1.0 Purpose

The purpose of this report is to provide background information for the Planning Act public meeting on the applications submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan, the Samac Secondary Plan and Zoning By-law 60-94 to permit a 9-storey mixed use building containing 192 bachelor apartment units and 120 square metres (1,292 sq. ft.) of ground floor commercial space at 1664 Simcoe Street North and 17 and 25 Niagara Drive.

The proposed building is intended to be marketed as a condominium and the apartment units are expected to be occupied primarily by students attending Durham College and Ontario Tech University (O.T.U.).

Attachment 1 is a map showing the location of the subject site and the existing zoning in the area.

Attachment 2 is a copy of the site plan submitted by the applicant.

A notice advertising the public meeting was mailed to all assessed property owners within 120 metres (400 ft.) of the subject site and to all required public bodies. In addition, a notice was published in the Oshawa This Week and Oshawa Express newspapers and signs giving notice of the applications has been posted on the site. The notice was also posted on the City's website and communicated through its Corporate Twitter and Facebook social media accounts.

### 2.0 Recommendation

That, pursuant to Report DS-19-186 dated October 16, 2019, the applications submitted by Karmina Developments Ltd. to amend the Oshawa Official Plan and the Samac Secondary

Plan (File OPA-2019-03) and to amend Zoning By-law 60-94 (File Z-2019-12) to permit a 9-storey mixed use building containing 192 bachelor apartment units and 120 square metres (1,292 sq. ft.) of ground floor commercial space at 1664 Simcoe Street North and 17 and 25 Niagara Drive 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.

### **3.0 Executive Summary**

Not applicable.

### **4.0 Input from Other Sources**

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

The subject applications have been circulated for comment and the identification of issues to a number of departments and agencies. These comments and issues will be considered and reported on, as appropriate, in a subsequent staff report which will provide a recommendation on the applications.

### **5.0 Analysis**

#### **5.1 Background**

The subject site is located on the west side of Simcoe Street North, on the south side of the south leg of Niagara Drive (see Attachment 1) and is municipally known as 1664 Simcoe Street North and 17 and 25 Niagara Drive.

The existing Oshawa Official Plan, Samac Secondary Plan and Zoning By-Law do not permit the proposed development.

As a result, the applicant has submitted applications to permit the proposed development.

If the applications are approved, the applicant intends to submit an application for draft plan of condominium to register the proposed building as a condominium.

A site plan application (SPA-2019-20) has been submitted for this property also.

The following is background information concerning the subject applications:

<b>Item</b>	<b>Existing</b>	<b>Requested/Proposed</b>
<b>Oshawa Official Plan Designation</b>	Residential	To an appropriate High Density Residential designation by adding a site specific policy to permit an increased residential density
<b>Samac Secondary Plan Designation</b>	Medium Density I Residential	To an appropriate High Density Residential designation by adding a site specific policy to permit an increased residential density
<b>Zoning By-law 60-94</b>	R3-A/R4-A/R6-A “h-48” (Residential)	To an appropriate MU (Mixed Use) Zone to implement the proposed uses and site design with site specific conditions to permit certain performance standards such as but not limited to increased residential density, increased building height, reduced front, exterior and interior side yard depths and reduced parking
<b>Use</b>	Former sales office	Mixed use building containing 192 bachelor apartment units and 120 square metres (1,292 sq. ft.) of ground floor commercial space

The following are adjacent land uses to the subject site:

- North Mixed use building containing 133 apartment units and ground floor commercial at 1700 Simcoe Street North
- South Block townhouse dwellings at 19 Niagara Drive
- East Single detached dwellings at 1659 - 1671 Simcoe Street North and a dentist office at 1701 Simcoe Street North
- West Single detached dwellings on Niagara Drive and Canadore Crescent

The following are the proposed development details (see Attachment 2) for the subject site:

<b>Site Statistics Item</b>	<b>Measurement</b>
Lot Frontage (Simcoe Street North)	37.7 m (123.7 ft.)
Gross Lot Area (inclusive of road widening)	0.25 ha (0.62 ac.)
Net Lot Area (exclusive of road widening)	0.24 ha (0.59 ac.)
Gross Floor Area of Proposed Commercial Area	120 sq. m. (1,292 sq. ft.)
Number of Proposed Apartment Units	192 bachelor apartment units [each unit 25 sq. m. to 46 sq. m.(270 sq. ft. to 495 sq. ft.) in floor area]
Proposed Maximum Net Residential Density	Approximately 800 u/ha (320 u/ac.)
Proposed Maximum Building Height	30.1 m (98.8 ft.)
Proposed Floor Space Index	3.21
Parking Spaces Required	Apartment Units at a Condominium Rate: 336 (1.45 per unit plus 0.3 per unit for visitors) Commercial Area: 5 (1 space per 24 sq. m. of gross floor area) Total: 341
Parking Spaces Proposed	Apartment Units: 47 (0.22 per unit plus 0.025 visitor) Commercial Area: 5 Total: 52
Number of Bicycle Parking Stalls Proposed	48
Loading Spaces Required	0
Loading Spaces Proposed	1

## **5.2 Oshawa Official Plan**

The subject site is designated Residential in the Oshawa Official Plan.

The Oshawa Official Plan specifies, in part, that areas designated as Residential shall be predominantly used for residential dwellings.

The Oshawa Official Plan contains policies which establish various density types and provide general locational criteria for such densities. Table 2: Residential Density Classification has five density categories, with the highest density being High Density II Residential category. This category permits 150 to 300 units per hectare (60 to 120 u/ac.)

for locations other than within the Downtown Oshawa Urban Growth Centre, subject to general locational criteria as follows:

- (a) Generally located within or at the periphery of the Downtown Oshawa Urban Growth Centre, or in proximity to arterial roads within the Main Central Areas, Sub-Central Areas Community Central Areas or within Intensification Areas along Regional Corridors; and
- (b) Generally located in such a manner that the scale, form and impacts of this type of housing are generally compatible with adjacent land uses.

Although the subject site meets the above mentioned locational criteria as it is within an Intensification Area along a Regional Corridor, the proposed residential density exceeds the maximum allowed under the Oshawa Official Plan anywhere in the City.

The applicant proposes 192 bachelor apartment units, each with one bed. The proposed development has a net residential density of approximately 800 units per hectare (320 u/ac.). Accordingly, an Official Plan Amendment is required to permit the proposed development by adding a site specific policy to permit the proposed increased residential density.

The subject site is located on a Regional Corridor and within an Intensification Area.

The Oshawa Official Plan specifies, in part, that Regional Corridors shall be planned and developed as mixed-use areas in accordance with the principles outlined in Policy 2.1.6.2 of this Plan and the relevant policies of the underlying land use designation(s), with the objectives of achieving higher density, intensive and compact built form and complementary mixed uses. Development within Regional Corridors shall facilitate and complement higher order transit services, walking and cycling with an emphasis on pedestrian-oriented design that is focused upon and reinforces the public realm. In this regard, development shall integrate core principles of transit-supportive urban design so as to optimize the functionality and viability of future and existing higher order transit services, walking and cycling, and thereby facilitate efficient multi-modal transportation links between, and connections to, the Downtown Main Central Area, the Windfields Main Central Area, Sub-Central Areas and Community Central Areas in Oshawa, as well as Regional Centres and other Centres in adjacent municipalities.

The Oshawa Official Plan specifies, in part, that development within Intensification Areas along Regional Corridors shall be planned to support an overall long-term density target of at least 60 residential units per gross hectare (24.28 residential units/gross ac.) and a Floor Space Index of 2.5.

Policy 6.7 of the Oshawa Official Plan specifies:

- (a) The City shall encourage a range of housing accommodation appropriate for the needs of the students enrolled in programs offered by the Ontario Tech University, Trent University, Queen's University and Durham College;

- (b) The City shall encourage an appropriate supply of off-campus student accommodation in appropriate locations including predominantly along arterial road corridors, in a purpose built north student village area and within and around the Downtown Oshawa Urban Growth Centre; and
- (c) The City shall support, in accordance within Section 4.0 of this Plan, financial incentives for multi-unit residential development along the arterial road corridors near the main north campus of Durham College and the Ontario Tech University, and near Trent University in Oshawa.

The Oshawa Official Plan specifies, in part, that the City shall focus residential intensification in appropriate areas within the Downtown Oshawa Urban Growth Centre, Main Central Areas and SubCentral Areas, Transportation Hubs and Commuter Station areas, the Oshawa Harbour Special Development Area, Intensification Areas along Regional and Local Corridors and any other urban areas considered by the City in accordance with Policy 6.4.6, to be appropriate locations for residential intensification, in order to achieve the goals of Policy 6.4.5:

- (a) Accommodate a significant portion of the City's future population growth and assist in achieving the City's annual residential intensification target set out in Policy 1.7;
- (b) Provide for a diverse range and mix of housing types, taking into account affordable housing needs;
- (c) Support efforts to develop active, vibrant neighbourhoods through the provision of a diverse and compatible mix of land uses, high quality public spaces, access to a variety of amenities in reasonable walking distance of residential areas, and development based on site design standards that create attractive, vibrant places and favour the needs of pedestrians and cyclists as a primary design consideration;
- (d) Support transit, walking and cycling as feasible utilitarian and recreational travel options, such as through the implementation of well-connected street networks and active transportation facilities; and,
- (e) Contribute to the achievement of healthy, attractive, complete and sustainable communities.

The Oshawa Official Plan specifies, in part, that subject to the relevant policies of this Plan and the inclusion of appropriate provisions in the zoning by-law, other land uses may be permitted in areas designated as Residential including convenience stores and retail stores. The applicant proposes 120 square metres (1,292 sq. ft.) of commercial floor area for a convenience/retail store.

The subject site is shown as a High Volume Recharge Area (H.V.R.A.) on Schedule 'D-2' Environmental Management and Schedule 'F-1B' High Volume Recharge Areas and Greenbelt Natural Heritage System. Policy 5.6.2 states that the City may require that appropriate studies be undertaken prior to approval of any development in these areas and that development incorporate mitigative measures or stormwater management design practices to maintain an adequate water budget and ground water functions for these

areas. Similar studies and mitigative measures may be required to ensure that the development will not adversely impact the groundwater through contamination.

Simcoe Street North is designated as a Type B Arterial Road and a Regional Transit Spine and the Niagara Drive is designated as a Collector Road.

The policies and provisions of the Oshawa Official Plan will be considered during the further processing of the subject applications.

### **5.3 Samac Secondary Plan**

The subject site is designated Medium Density I Residential in the Samac Secondary Plan.

The Samac Secondary Plan specifies, in part, that areas designated Medium Density I Residential on Schedule "A" Samac Land Use and Street Plan shall be predominantly used for residential dwellings.

The Medium Density I Residential Designation generally includes such uses as single detached dwellings, semi-detached dwellings, duplexes and townhouses at a density of 30 to 60 units per hectare (12 to 24 u/ac.).

The applicant proposes 192 bachelor apartment units, each with one bed. The proposed development has a net residential density of approximately 800 units per hectare (320 u/ac.). Accordingly, a Samac Secondary Plan Amendment is required to permit the proposed development by adding a site specific policy to permit the proposed increased residential density.

The Samac Secondary Plan further specifies, in part, that convenience stores which are compatible with their surroundings may be permitted in residential areas or integrated into residential developments subject to the inclusion of appropriate provisions in the zoning by-law and the following:

- (a) Generally, convenience stores shall not exceed 200 square metres (2,152 sq. ft.) of gross retail and personal service floor space; and
- (b) Convenience stores are intended to primarily serve the immediate surrounding residential area and may include such uses as small retail stores and personal service shops, but shall exclude banks, restaurants and other similar uses.

The applicant proposes 120 square metres (1,292 sq. ft.) of commercial floor area for a convenience/retail store.

The policies and provisions of the Samac Secondary Plan will be considered during the further processing of the subject applications.

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

The subject site is currently zoned R3-A/R4-A/R6-A "h-48" (Residential) which permits street townhouses, block townhouses and apartments subject to compliance with various regulations, including but not limited to, maximum permitted residential density, maximum

building height, minimum required parking and minimum required building setbacks. The proposed development does not comply with the regulations and is seeking commercial uses not permitted within the current zoning.

The R6-A Zone permits an apartment building with a maximum residential density of 60 units per hectare (24 u/ac.) resulting in a maximum of 14 units on this site and a maximum height of 10.5 metres (34.5 ft.) (approximately 3 storeys). The R6-A Zone does not permit any commercial uses.

The applicant has submitted an application to amend Zoning By-law 60-94 to permit a 9-storey [30.1 metre (98.8 ft.)] tall mixed-use building containing 192 bachelor apartment units and 120 square metres (1,292 sq. ft.) of floor space on the ground floor for limited commercial uses. The proposed amendment would rezone the subject site to an appropriate MU (Mixed Use) Zone to permit the proposed development and would include a special conditions with site specific regulations that implement the proposed uses and the proposed building/site design including regulations related to increased maximum permitted residential density, increased maximum building height, reduced minimum buildings setbacks to the front yard, exterior side yard and interior side yard, and reduced minimum required parking.

The existing “h-48” Holding Symbol applying to the site requires that prior to redevelopment, the following conditions be fulfilled:

- (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 satisfaction of the Region and City;
- (c) Driveway access is addressed to the satisfaction of the Region and City;
- (d) Noise mitigation is addressed to the satisfaction of the City; and,
- (e) Any necessary cross-access easements are created to the satisfaction of the City.

In the interim, all lawfully existing uses in existing buildings as of July 17, 2006 are permitted.

The provisions of Zoning By-law 60-94 will be considered during the further processing of the applications.

## **5.5 Student Accommodation Strategy**

On April 27, 2010 City Council approved a Student Accommodation Strategy (2010 Strategy). The overall purpose of the 2010 Strategy was to identify, plan for and facilitate a sufficient mix of quality student accommodations that would integrate with the community and advance sound planning and building principles.

The applicant’s intention is to provide bachelor units. The applicant is of the opinion that there is a demand for bachelor (one-bed) units in proximity to the campus for those



students who would prefer to live more independently. Of the 789 units in apartments or townhouses either constructed, under construction or approved in the Simcoe Street North Corridor intended for student accommodation, there are 344 one-bedroom/bachelor units.

## **5.6 University and College Area Renaissance Community Improvement Plan**

The subject site is within the City of Oshawa University and College Area Renaissance Community Improvement Plan which was prepared on the basis that the development and redevelopment of multi-residential units in the form of apartments, flats and block townhouses in this area of the City is in the public interest since the development and redevelopment will help to:

- (a) Increase the provision of a broader range of and more affordable accommodation in the University and College area;
- (b) Increase assessment and job creation;
- (c) Reduce greenfield development through infilling and intensification along arterial road and transit corridors consistent with Provincial Policy; and
- (d) Use municipal services more effectively. It is difficult for municipalities to encourage the redevelopment of corridors through planning instruments only. Accordingly, the City of Oshawa University and College Area Renaissance Community Improvement Plan has been prepared as another tool to be used to advance redevelopment in this area.

The key incentive offered within the City of Oshawa University and College Area Renaissance Community Improvement Plan is the Increased Assessment Grant Program which is intended to provide economic incentive for the redevelopment of properties in the City of Oshawa's University and College Area by providing a grant to pay a portion of the City taxes attributable to the increased assessment over a 10 year period. Although it is not structured as a tax rebate program, the effect is to phase in tax increases relating to re-assessments resulting from property improvements.

If the Official Plan Amendment, Samac Secondary Plan Amendment and Zoning By-law Amendment applications are approved, the applicant intends to submit an application to be considered for grant eligibility.

## **5.7 Site Design/Land Use Considerations**

The applicant proposes to develop a 9-storey mixed use building containing 192 bachelor apartment units and 120 square metres (1,292 sq. ft.) of ground floor commercial space on the subject site. The apartment units are intended to be marketed primarily to students attending Durham College and Ontario Tech University.

The 192 apartment units are to be contained within a building proposed to include on-site amenities for residents such as a gym, study lounge, multi-media rooms, and multi-function roof top common area.

Driveway access exists from Simcoe Street North and is proposed to be closed. Driveway access also exists from Niagara Drive and is proposed to remain as the sole driveway access. The site design would allow for cross access to be maintained to the property to the south which has no direct vehicular access of its own.

In support of the proposed site design/development the applicant has submitted a variety of plans and documents including a site plan, floor plans, elevations, landscape plan, lighting plan, grading plan, servicing plan, a planning rationale report, a shadow impact study, a functional servicing and stormwater management report, traffic impact and parking study, an environmental site assessment, an archeological assessment, a noise report and a geotechnical report.

Detailed design matters will be reviewed during the further processing of the applications to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies. This Department will conclude its position on the site design after it has received and assessed comments from the circulated departments, agencies and the public.

Some of the specific matters this Department will be reviewing during the further processing of the subject applications include:

- (a) The appropriateness of the proposed height and density at this location;
- (b) The appropriateness of the proposed commercial uses at this location;
- (c) Site/building design matters including buffers to adjacent residential uses, waste collection, driveway access, parking, loading area, building architecture, and building setbacks;
- (d) Noise impacts;
- (e) Lighting impacts;
- (f) The need to maintain cross access to property to the south;
- (g) Appropriate landscaping and fencing;
- (h) The adequacy of the proposed reduced parking for the development;
- (i) Storm water management, grading and servicing matters;
- (j) Road widening requirements;
- (k) Sun/shadow impacts; and
- (l) Traffic impacts.

## **6.0 Financial Implications**

There are no financial implications associated with the recommendation in this report.

## 7.0 Relationship to the Oshawa Strategic Plan

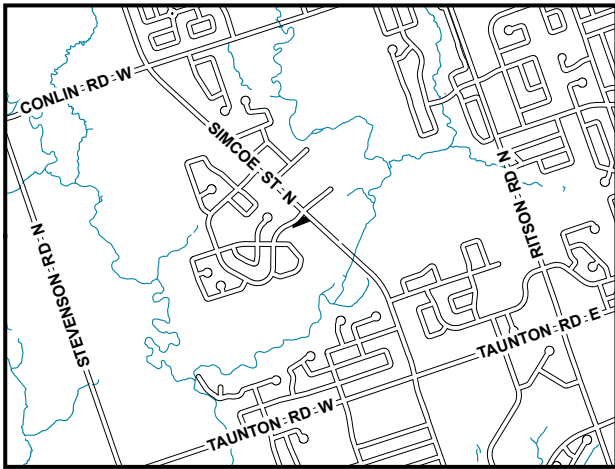
Holding a public meeting on development applications advances the Accountable Leadership Goal of the Oshawa Strategic Plan.



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



Warren Munro, HBA, RPP, Commissioner,  
Development Services



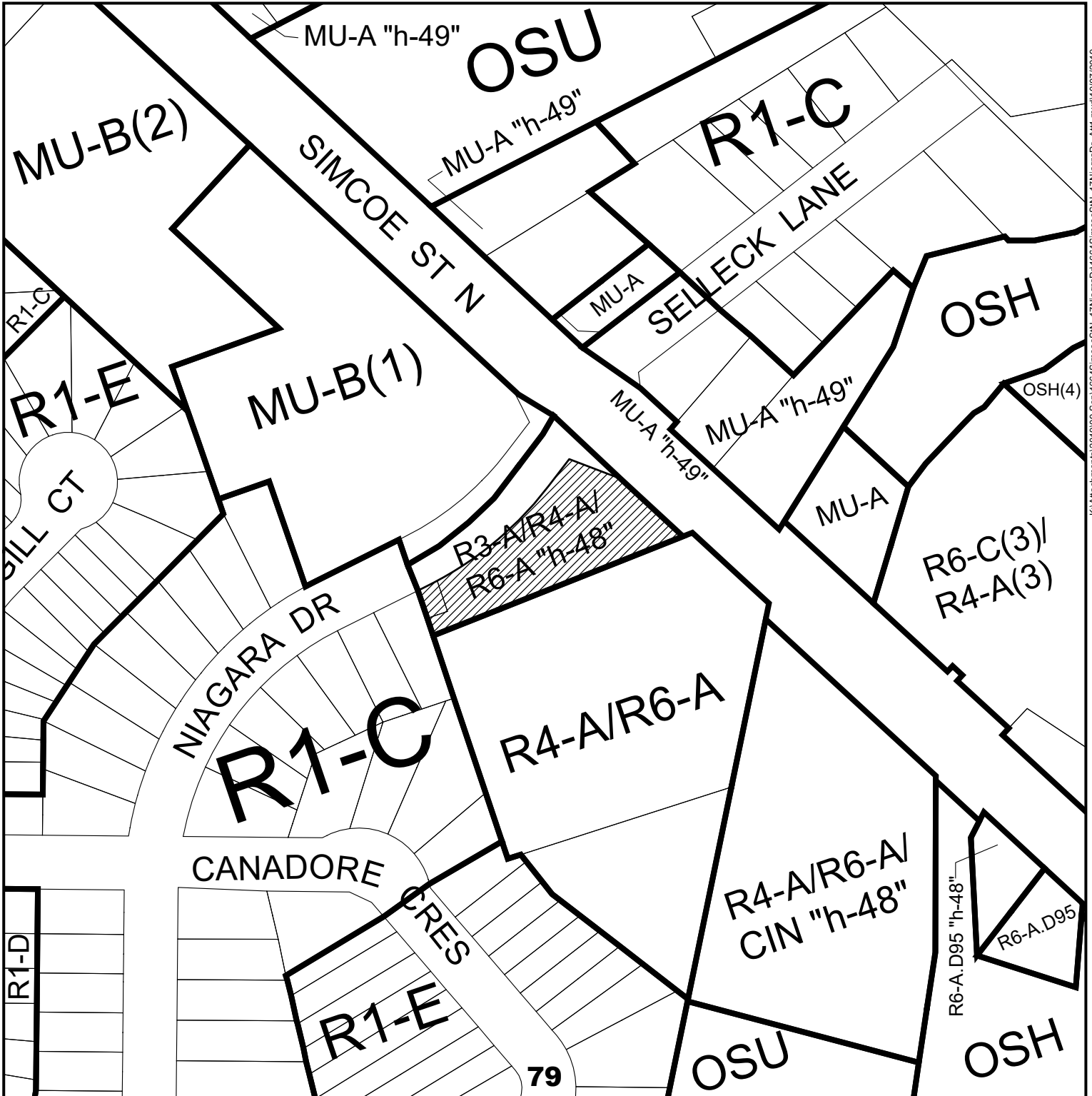
Item: DS-19-186  
Attachment 1

Development Services Department

Subject: Applications to Amend the Oshawa Official Plan,  
Samac Secondary Plan and Zoning By-law 60-94,  
Address: 1664 Simcoe Street North, 17 and 25 Niagara Drive  
File: OPA-2019-03, Z-2019-12



Subject Site



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