

To: Development Services Committee

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

Report Number: DS-21-05

Date of Report: January 6, 2021

Date of Meeting: January 11, 2021

Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
2. Declaration of the City-owned Murton Street Road Allowance as Surplus

File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019

1.0 Purpose

The purpose of this report is to provide recommendations on the following:

(a) The revised applications submitted by Whitby Meadows Inc. (the “Applicant”) to:

- Amend the Oshawa Official Plan, the Pinecrest Part II Plan and Zoning By-law 60-94, and for approval of a draft plan of subdivision (File: S-O-2018-01) related to the unimproved Murton Street road allowance, 595, 645, 657 and 667 Taunton Road East and the abutting lands south of 595 to 725 Taunton Road East and the Murton Street road allowance (the “Subject Site”); and,
- Amend the subdivision agreements for Plans 40M-2157 and 40M-2309 (Files: 18T-92015-AA and 18T-95003-AA), respectively.

(b) A written request by the Applicant (DS-20-26) to classify a portion of the residential portion of the proposed draft plan of subdivision as a Class 4 Area in accordance with the Ministry of the Environment, Conservation and Parks (“M.E.C.P.”) Publication NPC-300 (Environmental Noise Guidelines – Stationary and Transportation Sources) (the

“Guideline”). On February 3, 2020, the Development Services Committee referred DS-20-26 to staff for a report.

- (c) The declaration of the City-owned unimproved portion of the Murton Street road allowance, south of Taunton Road East as surplus to municipal requirements.

The purpose of the revised applications is as follows:

- (a) Amend the Oshawa Official Plan (O.O.P.) to add a Local Central Area to a portion of the Subject Site to permit Planned Commercial Centre uses.
- (b) Amend the Pinecrest Part II Plan to:
 - (i) Redesignate a portion of the Subject Site from Low Density Residential and Medium Density I Residential to Planned Commercial Centre;
 - (ii) Redesignate a portion of the Subject Site from Medium Density I Residential to Medium Density II Residential subject to Policy 8.4.6.12 in the Pinecrest Part II Plan and introduce a site specific policy to permit a convenience store; and,
 - (iii) Redesignate a portion of the Subject Site from Low Density Residential to Medium Density I Residential.
- (c) Amend Zoning By-law 60-94 to rezone the Subject Site from various Residential and Urban Reserve zones to various Residential and Commercial zones to implement the proposed revised draft plan of subdivision.
- (d) Implement a proposed revised draft plan of subdivision that consists of 11 lots for single detached dwellings, 4 blocks for 16 street townhouses, 2 Medium Density I Residential blocks for up to 78 block townhouses, 1 block for medium density residential and mixed use development with up to 25 residential units and 500 square metres (5,382 sq. ft.) of commercial floor area, a commercial block (to be consolidated with Murton Street road allowance) with up to 4,800 square metres (51,668 sq. ft.) of commercial floor area, a future development block, a road widening block, a future road block, two (2) new collector roads and a new local road.

The Applicant has also submitted applications to amend the subdivision agreements for registered plans of subdivision 40M-2157 and 40M-2309 (Files: 18T-92015-AA and 18T-95003-AA, respectively). The purpose of these applications is to amend the requirement to maintain the existing earth berms on portions of the Subject Site (specifically, Blocks 159 and 160 on Plan 40M-2309 and Blocks 107 and 108 on Plan 40M-2157 as shown on Attachment 2). These earth berms serve to mitigate noise generated from the Coco Paving Inc. (“Coco Paving”) asphalt plant located on abutting lands west of the Subject Site for the benefit of adjacent existing residential uses.

An application for Site Plan Approval (File: SPA-2021-01) has been submitted for Block 19 only for commercial uses.

The Applicant owns the lands south of the Murton Street road allowance and those lots having frontage on the south side of Taunton Road East municipally known as 595, 645,

657, 667, 679, 695 and 757 Taunton Road East (see Attachment 1). The Applicant does not own any lands with direct frontage on Taunton Road East. The Murton Street road allowance is owned by the City. The owners of 595, 645, 657 and 667 Taunton Road East [Plaza Taunton Road (Oshawa) Investments Inc. and Clarington Properties Inc.] have authorized the Applicant to submit the subject applications for their privately-owned lots along Taunton Road East.

Attachment 1 is a map showing the location of the Subject Site and the existing zoning in the area.

Attachment 2 is a map showing the limits of the Subject Site in relation to the location of the existing earth berms.

Attachment 3 is a copy of the original proposed site plan submitted by the Applicant in 2014 and considered at the September 8, 2014 public meeting.

Attachment 4 is an excerpt from Schedule "A", Pinecrest Land Use and Road Plan, showing the location of the Subject Site.

Attachment 5 is an excerpt from Schedule "A", Land Use, to the O.O.P. showing the revised requested amendment to the O.O.P.

Attachment 6 is an excerpt from Schedule "A", Pinecrest Land Use and Road Plan, showing the revised requested amendments to the Pinecrest Part II Plan land use designations.

Attachment 7 is a copy of the original draft plan of subdivision S-O-2018-01 submitted in 2018 by the Applicant and considered at the September 10, 2018 public meeting.

Attachment 8 is a copy of the revised proposed draft plan of subdivision S-O-2018-01 submitted by the Applicant subsequent to the public meeting of September 10, 2018 to address certain technical comments.

Attachment 9 is a copy of the revised proposed site plan for Block 19 of the revised proposed draft plan of subdivision S-O-2018-01 and the Murton Street road allowance.

Attachment 10 is a copy of the Urban Design Concept from the Taunton-Harmony Corridor Study endorsed by City Council in 2003.

Attachment 11 is a copy of the list of uses permitted in the PCC-D (Planned Commercial Centre) Zone requested by the Applicant for Block 19 in the revised proposed draft plan of subdivision and the Murton Street road allowance.

Attachment 12 is a copy of a letter dated January 15, 2020 received from the Applicant (DS-20-26) requesting that the City classify the residential portion of the proposed draft plan of subdivision as a Class 4 Area under the Guideline.

Attachment 13 is a copy of the recommended conditions of draft approval for draft plan of subdivision S-O-2018-01.

On September 8, 2014, a public meeting was held with respect to the Applicant's original proposal to amend the O.O.P., Pinecrest Part II Plan and Zoning By-law 60-94 to permit Special Purpose Commercial uses on the Subject Site and to amend the subdivision agreements for Plans 40M-2157 and 40M-2309. The purpose of the original applications was to permit a Special Purpose Commercial development on the Subject Site featuring 15,514 square metres (167,000 sq. ft.) of gross floor area including a 4,645 square metre (50,000 sq. ft.) grocery store. The original proposal also included the lands at 679, 695 and 725 Taunton Road East. At that time, the Applicant proposed to extend Clearbrook Drive southerly through the Subject Site as a private road as part of the commercial development rather than as a public collector road. At the conclusion of the public meeting, the Development Services Committee adopted a recommendation to refer the applications back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the September 8, 2014 public meeting form Attachment 14 to this Report.

On September 10, 2018, another public meeting was held with respect to revised Official Plan Amendment and Zoning By-law amendment applications, a new Draft Plan of Subdivision application for the Subject Site and a request to amend the subdivision agreements for registered plans 40M-2157 and 40M-2309. At the conclusion of the September 10, 2018 public meeting, the Development Services Department adopted a recommendation to refer the applications back to staff for further review and the preparation of a subsequent report and recommendation. The minutes of the September 10, 2018 public meeting form Attachment 15 to this Report.

Subsequent to the September 10, 2018 public meeting, the Applicant further revised the development proposal. The key differences between the proposal considered at the 2018 public meeting (see Attachment 7) and the revised proposal (see Attachment 8) are as follows:

- (a) A road widening along the Taunton Road East frontage that is required by the Region of Durham has been incorporated into the proposed draft plan of subdivision;
- (b) The Applicant has incorporated required corner sight triangles at the intersection of Street 'A' and Street 'C'. This resulted in the frontage of Lot 1 being widened from 14.3 metres (46.9 ft.) to 17 metres (55.8 ft.), the frontages of Lots 2 and 3 being reduced from 12.0 metres (39.4 ft.) to 11.6 metres (38.1 ft.), the frontages of Lots 4 to 7 being reduced from 12 metres (39.4 ft.) to 11.0 metres (36.1 ft.), and the frontages of Lots 8 to 11 being reduced from 11.6 metres (38.1 ft.) to 11.0 metres (36.1 ft.);
- (c) The Applicant no longer proposes to amend the Pinecrest Part II Plan to redesignate Future Development Block 18 (previously Block 29) from Low Density Residential to Medium Density I Residential, and no longer proposes to rezone the same block from UR (Urban Reserve) to R5-B (Residential). The block is to remain designated as Low Density Residential and zoned UR;
- (d) The Applicant has revised the Zoning By-law Amendment application to request R1 (Residential) zoning for Lots 1 to 11 instead of R2 (Residential) zoning;

- (e) The Applicant has revised the Zoning By-law Amendment application to request R4-A/R6-B (Residential) zoning for Block 17 instead of R6-B (Residential) zoning. The R4-A Zone permits block townhouses. The R6-B Zone permits apartment buildings, long term care facilities, nursing homes and retirement homes;
- (f) The Applicant has requested permission to allow convenience stores in addition to day care centres in a mixed use commercial/residential building on Block 17, up to a maximum gross floor area of 500 square metres (5,382 sq. ft.) for commercial uses provided that convenience stores are no greater than 200 square metres (2,155 sq. ft.);
- (g) The proposed gross floor area of the commercial development on Block 19 (previously Block 30) has increased from 4,136 square metres (44,522 sq. ft.) to 4,800 square metres (51,668 sq. ft.);
- (h) The area north of Lots 1 to 11 and east of Street 'A' has been reconfigured to:
 - Delete Landscaping Block 31;
 - Alter the design of Street 'B' from a crescent road 316 metres (1,037 ft.) in length to a cul-de-sac 100 metres (328 ft.) in length, at the south leg of the former crescent;
 - Delete Street 'C';
 - Reduce the number of proposed street townhouses from 87 to 16; and,
 - Create two blocks (Blocks 16 and 22) to accommodate up to 78 block townhouses on future private roads.

This reconfiguration is the Applicant's response to staff's comments on the previous proposal that having driveway locations for Commercial Block 19 along the west side of Street 'A' offset from the proposed intersections on the east side of Street 'A' with Streets 'B' and 'C' was inappropriate.

In order to maintain the location of the proposed driveways for Commercial Block 19 on the west side of Street 'A' as previously proposed, the Applicant consolidated lands east of Street 'A' opposite Commercial Block 19 such that any future private roads on Block 16 could be coordinated and aligned with the commercial driveways along Street 'A'. The Applicant has maintained a portion of Street 'B' as a cul-de-sac so as to allow public road access to the berm that will be required on Lots 9, 10 and 11 and Blocks 15 and 22 until such time as the Coco Paving asphalt plant situated west of the Subject Site is removed; and,

- (i) The Applicant's proposal now includes a request for a Class 4 Area designation in accordance with the Guideline. Based on the assumption that a Class 4 Area classification will be secured, the proposal no longer includes 4 metre (13.1 ft.) and 5 metre (16.4 ft.) high acoustic fences at the western limit of the rear yards for the single detached dwellings and townhouse dwellings closest to Street 'A', and no longer includes angled/screened windows for north- and south-facing windows on certain single detached dwellings and townhouse dwellings.

2.0 Recommendation

That the Development Services Committee recommend to City Council:

1. That, pursuant to Report DS-21-05 dated January 6, 2021, the revised application submitted by Whitby Meadows Inc. to amend the Oshawa Official Plan and Pinecrest Part II Plan (File: OPA-2014-02) to implement a revised draft plan of subdivision (File: S-O-2018-01) for 595 to 667 Taunton Road East, the unimproved Murton Street road allowance and the abutting lands south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance be approved, generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Development Services and Legal Services.
2. That, pursuant to Report DS-21-05 dated January 6, 2021, the revised application submitted by Whitby Meadows Inc. to amend Zoning By-law 60-94 (File: Z-2014-01) to implement a revised draft plan of subdivision (File: S-O-2018-01) for 595 to 667 Taunton Road East, the unimproved Murton Street road allowance and the abutting lands south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance be approved generally in accordance with the comments contained in said Report, and the necessary by-law be passed in a form and content acceptable to the Commissioner of Development Services and Legal Services.
3. That, pursuant to Report DS-21-05 dated January 6, 2021, the revised application submitted by Whitby Meadows Inc. for a draft plan of subdivision (File: S-O-2018-01) featuring 11 lots for single detached dwellings, 4 blocks for 16 street townhouses, 2 blocks for up to 78 block townhouses, 1 future residential block, 1 block for medium density residential and mixed use development with up to 25 residential units and 500 square metres (5,382 sq. ft.) of commercial floor area, a commercial block (to be consolidated with the Murton Street road allowance) with up to 4,800 square metres (51,668 sq. ft.) of commercial floor area, a future development block, a road widening block, a future road block, two (2) new collector roads and a new local road be approved, subject to the conditions as generally set out in Attachment 13 of said Report.
4. That, pursuant to Report DS-21-05 dated January 6, 2021, the subdivision agreements for Registered Plans 40M-2157 and 40M-2309 be discharged from the lands owned by Whitby Meadows Inc. subject to revised draft plan of subdivision S-O-2018-01 upon registration of a subdivision agreement for said subdivision.
5. That, in accordance with Section 34(17) of the Planning Act and notwithstanding that the Zoning By-law Amendment proposed in Report DS-18-138 dated September 6, 2018 presented at the public meeting of September 10, 2018 differs to some degree from the proposed amendment recommended to be approved by City Council pursuant to Part 2 of this recommendation, such differences are not substantial enough to require further notice and another public meeting.
6. That, pursuant to Report DS-21-05 dated January 6, 2021, the lands described as Lots 1 to 8 and Blocks 12 to 14 and 16 in draft plan of subdivision S-O-2018-01 are hereby

classified as a Class 4 Area as defined in the Ministry of the Environment, Conservation and Parks Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources).

7. That a copy of Report DS-21-05 dated January 6, 2021 and a copy of the decision of Council to classify Lots 1 to 8 and Blocks 12 to 14 and 16 in draft plan of subdivision S-O-2018-01 as a Class 4 Area be forwarded to Coco Paving Inc.
8. That, pursuant to Report DS-21-05 dated January 6, 2021, the City-owned unimproved Murton Street road allowance and associated 0.3 metre (1 ft.) reserve, shown on Attachments 1 and 2 to said Report, be declared surplus to municipal needs and requirements and that the requirement to declare a City-owned property first as potentially surplus and all notice requirements in accordance with By-law 97-2000 be waived, given the localized nature of the matter and the Planning Act Public Meetings held on September 8, 2014 and September 10, 2018.
9. That, pursuant to Report DS-21-05 dated January 6, 2021, the City-owned unimproved Murton Street road allowance be formally closed by by-law as a public highway and that the notice requirements (e.g. newspaper advertisements) of the City's Notice By-law 147-2007, as amended, be waived given the public process that occurred during the review and consideration of all the subject development applications.
10. That the Taunton-Harmony Corridor Study Final Report – Recommended Land Use Plan and Urban Design Concept as approved by City Council on January 13, 2003, as amended, be further amended to:
 - (a) Show the lands municipally known as 667 Taunton Road East as Medium Density Residential II and continue to allow Medium Density Residential I uses; and,
 - (b) Show the lands municipally known as 595 and 645 Taunton Road East and the Murton Street road allowance as Planned Commercial Centre.

3.0 Executive Summary

This Department recommends the approval of the revised applications to amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 and for approval of a revised draft plan of subdivision submitted by Whitby Meadows Inc. for 595 to 667 Taunton Road East, the unimproved Murton Street road allowance, and the abutting lands south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance.

The proposal represents a development that is appropriate at this location and can be designed to be compatible with surrounding residential, commercial and industrial uses.

The development also continues to maintain the noise mitigation for the existing residential lands to the east and southeast of the Subject Site.

The revised applications include the extensions of Clearbrook Drive and Grand Ridge Avenue providing the existing residential lands to the east and southeast of the Subject

Site ultimately with a second road access (i.e. to/from Taunton Road East) in addition to the existing access (i.e. Harmony Road North at Grand Ridge Avenue).

The revised applications also protect the ability for 679, 695, 725, 737, 741, 745 and 757 Taunton Road East to have access through an appropriate easement to the extension of Clearbrook Drive and the signalized intersection at Taunton Road East, such that they can be redeveloped in accordance with their medium density residential zoning and the Harmony-Taunton Corridor Study.

The proposed development conforms to the Provincial Growth Plan, is consistent with the Provincial Policy Statement, is within the Built Boundary, conforms to the Durham Regional Official Plan and represents good planning.

In the event the revised draft plan of subdivision is approved, it is also recommended:

- That the unimproved Murton Street road allowance and associated 0.3 metre (1 ft.) reserve be declared surplus to municipal needs and requirements;
- That the requirement to declare a City-owned property first as potentially surplus be waived;
- That all notice requirements of By-law 97-2000 and By-law 147-2007 be waived given the localized nature of the matter and the two Planning Act public meetings; and,
- That the Murton Street road allowance be closed as a public highway.

Furthermore, if this revised draft plan of subdivision is approved, it is recommended that Council approve the classification of Lots 1 to 8 and Blocks 12 to 14 and 16 as a Class 4 Area in accordance with the Ministry of the Environment, Conservation and Parks' environmental noise guidelines.

4.0 Input From Other Sources

4.1 Other Departments and Agencies

No department or agency that provided comments has any objection to the approval of the revised subject applications. Certain technical issues and requirements related to the proposed development have been identified and can be resolved during the further processing of the applications, if the applications are approved.

4.2 Public Comments

4.2.1 General Background

The minutes of the September 8, 2014 public meeting regarding the original development proposal form Attachment 14. At this public meeting, the Applicant presented their original applications to amend the O.O.P., Pinecrest Part II Plan, Zoning By-law 60-94 and subdivision agreements for Plans 40M-2157 and 40M-2309, to permit a 15,514 square metre (167,000 sq. ft.) Special Purpose Commercial development on the Subject Site (see Attachment 3).

The minutes of the September 10, 2018 public meeting regarding the revised development proposal form Attachment 15. At this public meeting the Applicant presented their revised applications to amend the O.O.P., Pinecrest Part II Plan, Zoning By-law 60-94 and subdivision agreements for Plans 40M-2157 and 40M-2309 and a new application for approval of a Draft Plan of Subdivision, to permit a subdivision containing low and medium density residential development and a block for commercial development featuring 4,136 square metres (44,522 sq. ft.) of commercial floor space (see Attachment 7).

Key concerns raised by the public are set out below together with a staff response.

4.2.2 Traffic

Comment:

There were several comments related to traffic and pedestrian safety that can be described generally as follows:

- Concerns with respect to traffic congestion on Grand Ridge Avenue;
- Concerns with respect to trucks using Grand Ridge Avenue;
- Concerns regarding the safety of pedestrians and school children; and,
- The need for traffic signals at the intersection of Taunton Road East and Clearbrook Drive.

Staff Response:

Taunton Road East and Harmony Road North are designated as Type 'A' Arterial Roads and are under the jurisdiction of the Region of Durham. The existing Grand Ridge Avenue is designated as a Collector Road and is a City-owned road. The future extensions of Grand Ridge Avenue and Clearbrook Drive south of Taunton Road East to Grand Ridge Avenue is also designated as a Collector Road, as is the portion of Clearbrook Drive north of Taunton Road East.

The existing residential area located generally within the area bounded by the Subject Site to the west, the Trans-Northern Pipeline to the south, Harmony Road North to the east and the homes on the north side of Langley Circle and Taggart Crescent to the north contains 399 single detached dwellings, a neighbourhood park and a Durham Catholic District School Board elementary school (St. Joseph Catholic Elementary School). Vehicular access to the school and all 399 single detached dwellings in this area is provided via the intersection of Grand Ridge Avenue and Harmony Road North. Additional accesses for the use of emergency vehicles only is provided to this residential area from Harmony Road North on the east side of Taggart Crescent and at the southeast terminus of Greystone Court in the event that access from Grand Ridge Avenue is obstructed.

In accordance with the recommendations of the Taunton-Harmony Corridor Study, City Council adopted amendments to the O.O.P. and the Pinecrest Part II Plan in 2005 to introduce a new future Collector Road running north-south between Taunton Road East and Grand Ridge Avenue opposite Clearbrook Drive. The purpose of this future Collector Road is to provide another means of access in the vicinity of the Taunton Road East and Harmony Road North intersection, thereby relieving anticipated congestion at this

intersection. It is also intended to provide a point of multi-directional access onto Taunton Road East for properties along the south side of Taunton Road East, as future access management along Taunton Road East will limit access opportunities.

The Applicant has submitted a Traffic Impact Study ("T.I.S.") dated February 2018 and last revised August 2020 prepared by Cole Engineering Group Ltd., a professional transportation engineering consultant company. The T.I.S. analyzed anticipated traffic from the proposed development. Traffic count data was collected prior to the COVID-19 pandemic (2017, 2018 and 2019). The findings of the T.I.S. are as follows:

- Traffic signals are warranted at the intersection of Taunton Road East and Street 'A' (extension of Clearbrook Drive) and must be installed as part of the subject development.
- Exclusive left-turn lanes are required for all approaches to the intersection of Taunton Road East and Clearbrook Drive/Street 'A' and must be installed in conjunction with the development.
- The intersection of Grand Ridge Avenue and Clearbrook Drive must function as an all-way stop intersection.
- Signal timing changes will be required where Taunton Road East intersects with Harmony Road North and Wilson Road North, and also at the intersection of Harmony Road North and Grand Ridge Avenue, in order to accommodate the proposed development as well as background growth in the general area.
- Traffic volumes will increase on Grand Ridge Avenue as a result of the extensions of Grand Ridge Avenue and Clearbrook Drive and the development of the Subject Site. However, with the implementation of the above-noted measures, all of the intersections and roads in the study area are anticipated to perform at a moderate level of service and below capacity in accordance with their classification. The intersections analyzed as part of the T.I.S. consist of the following:
 - Taunton Road East and Wilson Road North;
 - Taunton Road East and Clearbrook Drive;
 - Taunton Road East and Harmony Road North;
 - Harmony Road North and Grand Ridge Avenue;
 - Grand Ridge Avenue and Summerwood Heights;
 - Grand Ridge Avenue and Langley Gate;
 - Grand Ridge Avenue and the west driveway to St. Joseph Catholic Elementary School; and,
 - All proposed intersections on Street 'A'.
- The driveway access for the loading areas for the proposed commercial units on Block 19 (including a proposed grocery store) will be a right-in/left-out only access from Street 'A' just north of Grand Ridge Avenue. Consequently, trucks leaving the loading areas will be directed north towards Taunton Road East rather than south towards Grand Ridge Avenue.

- The bicycle route along both sides of the existing portion of Grand Ridge Avenue is to be extended west along the extension of Grand Ridge Avenue and also along the extension of Clearbrook Drive to Taunton Road East, including a multi-use path on the extension of Clearbrook Drive between Grand Ridge Avenue and Taunton Road East.
- The T.I.S. included recommendations for traffic calming on Streets 'A' and 'C' including along the existing portion of Grand Ridge Avenue (e.g. electronic message speed feedback signs, illuminated crosswalk warning signs, traffic circles, etc.).

The City's transportation engineer and the Region of Durham Works Department have reviewed the T.I.S. and are satisfied with the conclusions of the study.

However, Planning Services staff remain concerned with the ability for the commercial development on Block 19 to promote vehicular traffic infiltration to the neighbourhood via Grand Ridge Avenue until the entire transportation network is complete and includes the design and construction of Grand Ridge Avenue to Wilson Road North. This is particularly of concern as the Applicant is attempting to secure a Farm Boy as a tenant. Farm Boy is a grocery store that specializes in fresh produce and food products. There are currently only two stores in Durham Region in Whitby and Pickering. It is expected that a Farm Boy grocery store would attract customers from an area larger than a traditional grocery store trade area.

To alleviate this concern, staff recommend that Street 'A' terminate at Street 'B', and Street 'C' (Grand Ridge Avenue) temporarily terminate in cul-de-sac where it would have intersected Street 'A'. A 6.0 metre (19.7 ft.) wide temporary emergency access would connect Streets 'A' and 'C' west of Lot 1 and Block 12. Undertaking this action will permit the orderly development of the Subject Site in the fullness of time with a complete transportation network that includes Grand Ridge Avenue from Harmony Road North to Wilson Road North.

The portion of Street 'A' south of Street 'B' to the connection with Street 'C' will include the usual water, sanitary and stormwater services and utilities in anticipation of the future road connection. Pedestrian and active transportation access between Street 'A' and Street 'C' will be provided via the emergency access road.

4.2.3 Redevelopment Opportunities for 679, 695 and 725 Taunton Road East

Comment:

The owners of 679, 695 and 725 Taunton Road East have expressed concern that the proposals presented at the September 10, 2018 public meeting (see Attachment 7) and the revised proposal (see Attachment 8) do not provide sufficient road access to the southerly extension of Clearbrook Drive (i.e. Street 'A') to allow their lands to redevelop for Medium Density Residential uses in the future. The owners of these properties are aware of the Taunton Road East access management policies of the Region of Durham that will limit the number of new driveways on Taunton Road East for any redevelopment.

Staff Response:

In 2003, City Council passed a resolution endorsing the Recommended Land Use Plan and Urban Design Concept prepared as part of the Taunton-Harmony Corridor Study (see Attachment 10). This Land Use Plan serves as the basis for future planning in the Taunton-Harmony Corridor Study. As part of this resolution, staff were directed to prepare amendments to the O.O.P., Pinecrest Part II Plan and Zoning By-law 60-94 to implement the Recommended Land Use Plan.

In 2005, City Council passed a resolution to approve certain technical amendments to the O.O.P., Pinecrest Part II Plan and Zoning By-law 60-94 to implement the study's conclusions for the "southwest quadrant" of the study area, being the area south of Taunton Road East and west of Harmony Road North.

The amendments to the O.O.P., Pinecrest Part II Plan and Zoning By-law 60-94 for the southwest quadrant included:

- (a) Redesignating the lands along the south side of Taunton Road East between the Murton Street road allowance and the west limit of 767 Taunton Road East from Low Density Residential to Medium Density I Residential in the Pinecrest Part II Plan;
- (b) Rezoning 595, 645, 667, 679, 695, 737, 741, 745 and 757 Taunton Road East from R1-A (Residential) to R2/R4-A/R6-A "h-22" (Residential); and,
- (c) Designating a new Collector Road running south from Taunton Road East to Grand Ridge Avenue as a future southerly extension of Clearbrook Drive.

In addition to providing an alternative access to the southwest quadrant from Taunton Road East, the north-south Collector Road was also expected to provide Medium Density I Residential redevelopment opportunities for properties along the south side of Taunton Road East. This was in expectation that direct vehicular access to Taunton Road East from these properties would otherwise be limited to "right-in/right-out" driveways, whereas redevelopment of these properties for Medium Density I Residential purposes with arrangements to facilitate vehicular access to the future southerly extension of Clearbrook Drive would be a viable alternative.

725 Taunton Road East is zoned R1-A (Residential) and OSH (Hazard Lands Open Space).

The Applicant has agreed to applying an 'h' Holding Symbol to the zoning of Block 17 in order to require a cross-access easement over Block 17 in favour of the lands to the east (679 to 757 Taunton Road East) prior to any development on Block 17. This will allow development on 679 to 757 Taunton Road East to have vehicular access to the future full-movement, signalized intersection at Taunton Road East and Clearbrook Drive/Street 'A'.

It is staff's experience that property consolidation is also typically required in order to develop fragmented properties for Medium Density Residential uses along arterial roads.

The Applicant's proposal to provide cross-access easements is consistent with the Taunton-Harmony Corridor Study, the O.O.P. and the Durham Regional Official Plan.

4.2.4 Amount of Existing Commercial Space on Taunton Road East

Comment:

Comments were made that there is no need for additional commercial floor space on Taunton Road East.

Staff Response:

The proposal includes a new Planned Commercial Centre on Block 19 and the unimproved Murton Street road allowance. This commercial development would contain up to 4,800 square metres (51,668 sq. ft.) of gross floor area, including a proposed 2,500 square metre (26,911 sq. ft.) grocery store and several other smaller commercial units. The Applicant is attempting to secure Farm Boy as a tenant for the grocery store, which typically has a smaller store footprint than other grocery stores. The Applicant also proposes up to 500 square metres (5,382 sq. ft.) of convenience store and/or day care centre uses on Block 17 in a mixed use commercial/residential building.

The Applicant has submitted a Retail Market Demand and Impact Assessment dated July 3, 2020 prepared by Tate Economic Research Inc. ("Tate").

The Development Services Department subsequently retained J. C. Williams Group ("J.C.W.G."), a professional retail market research company, to conduct a third party peer review of Tate's report on behalf of the City. The Applicant paid for the peer review.

J.C.W.G. accepted Tate's methodology and agreed with their conclusions that the development of a grocery store and other smaller commercial uses at the Subject Site will not preclude the development of other commercial areas in north Oshawa and that the sales performance of other existing and planned grocery stores will remain above industry standards.

4.2.5 Drainage

Comment:

A comment was made that drainage from the proposed development could impact existing homes on Langley Circle.

Staff Response:

The Applicant has submitted a Functional Servicing and Stormwater Management Report dated January 2018 and last revised August 2020 prepared by Cole Engineering Group Ltd., a professional civil engineering company. The report is accompanied by grading, servicing and erosion and sediment control plans.

These plans and report consider the existing topography of the Subject Site and surrounding lands as well as the proposed development and identify the best method for

implementing the necessary grading and servicing works to ensure the development complies with the City's Engineering Design Criteria Manual, both during construction and after construction.

All stormwater will be directed to proposed new or existing storm sewers in new or existing public roads.

The plans and report have been reviewed by Engineering Services staff, Regional Works and the Central Lake Ontario Conservation Authority, and have been found to be generally acceptable. Servicing, grading and stormwater management matters will continue to be reviewed through the detailed design of the draft plan of subdivision and future site plan approval processes for individual blocks to ensure compliance with the City's engineering standards.

4.2.6 Nuisances from Commercial Development

Comment:

Comments were made at the 2014 and 2018 public meetings that any commercial development will result in noise and odour nuisances affecting existing residential areas to the east and southeast of the Subject Site.

Staff Response:

In the event that the revised applications are approved by Council, individual applications for Site Plan Approval will be required for Blocks 17 and 19 and the unimproved Murton Street road allowance, which are proposed to be developed in whole or in part for commercial purposes.

Each new commercial development in the draft plan of subdivision will require the preparation of a new noise study based on the detailed design of the site-specific proposal. Each new noise study for commercial development will be required to analyze potential noise from any exterior mechanical equipment and loading areas and the potential impact on existing and planned surrounding residential uses, and make recommendations for mitigation of the noise in accordance with the Guideline. The Site Plan Agreement for each commercial development will require the implementation of the noise mitigation measures in the commercial development.

All waste storage areas for all commercial developments will be inside fully enclosed and roofed buildings or in-ground waste storage bins. Waste storage will not be permitted in outdoor fenced or walled enclosure structures.

Prior to the approval of any restaurant, an odour study will be required to be prepared by a professional engineering consultant having experience with odour emissions. The odour study will be required to analyze the ventilation and mechanical system of the proposed restaurant and make recommendations for the mitigation of odour emissions from the restaurant in accordance with the Guideline. The Site Plan Agreement for each commercial development will require the implementation of the odour mitigation measures in the commercial development.

To ensure that odour mitigation measures are appropriately implemented through the site plan approval process, an “h” holding symbol will be applied to the areas proposed for commercial development. This holding symbol would only be removed when an appropriate site plan agreement is executed.

5.0 Analysis

5.1 Background

The Subject Site is located on the south side of Taunton Road East, generally west of the north-south open space corridor extending between Grand Ridge Avenue and Taunton Road East (see Attachments 1 and 2).

In 2014, the Applicant submitted Official Plan Amendment and Zoning By-law Amendment applications for the lands west of the north-south open space corridor extending between Grand Ridge Avenue and Taunton Road East, to permit these lands to be developed for Special Purpose Commercial uses with 15,514 square metres (167,000 sq. ft.) of gross floor area including a 4,645 square metre (50,000 sq. ft.) grocery store (see Attachment 3). The Applicant also submitted a request to amend the subdivision agreements for Registered Plans 40M-2157 and 40M-2309 in order to revise the design of the two existing berms required on lands in those Registered Plans. A public meeting was held on these applications on September 8, 2014.

In 2018, the Applicant submitted revised Official Plan Amendment and Zoning By-law Amendment applications and a new application for a Draft Plan of Subdivision (File: S-O-2018-01) to propose a new subdivision on these lands which included residential uses and a reduced commercial component. A public meeting was held on these applications on September 10, 2018.

On December 18, 2020, an application for site plan approval (File: SPA-2021-01) was submitted by Plaza Taunton Road (Oshawa) Investments Inc. (“Plaza”) for Block 19 to permit a grocery store [2,645 square metres (28,493 sq. ft.)], 2 other retail units [1,198 square metres (12,896 sq. ft.)] and a restaurant [470 square metres (5,059 sq. ft.)].

The following is background information concerning the current subject revised applications:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	<p>Schedule “A” – Land Use: Residential</p> <p>Schedule “B” – Road Network: A north-south future Collector Road (Clearbrook Drive extension) between Taunton Road East and the westerly extension of Grand Ridge Avenue, and an east-west future Collector Road (Grand Ridge Avenue extension) between the existing westerly terminus of Grand Ridge Avenue and the west limit of the Subject Site</p>	<p>Add a Local Central Area to the northwest corner of the Subject Site to permit Planned Commercial Centre uses</p>
Pinecrest Part II Plan Designation	<p>Schedule “A” – Pinecrest Land Use and Road Plan:</p> <ul style="list-style-type: none"> ▪ Medium Density I Residential (595, 645, 657 and 667 Taunton Road East and unimproved Murton Street road allowance) ▪ A north-south Collector Road (future Clearbrook Drive extension, which includes lands corresponding to 657 Taunton Road East) ▪ Low Density Residential lands to the south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance ▪ An east-west Collector Road (future Grand Ridge Avenue extension) 	<ul style="list-style-type: none"> ▪ Redesignate a portion of the Subject Site from Medium Density I Residential and Low Density Residential to Planned Commercial Centre to permit a maximum 4,800 square metre (51,668 sq. ft.) commercial development including a grocery store ▪ Redesignate a portion of the Subject Site from Low Density Residential to Medium Density I Residential ▪ Redesignate a portion of the Subject Site from Medium Density I Residential to Medium Density II Residential subject to Policy 8.4.6.12 to also permit Medium Density I Residential uses and a policy to permit convenience stores

Item	Existing	Requested/Proposed
Zoning By-law 60-94	<ul style="list-style-type: none"> 657 Taunton Road East: UR (Urban Reserve) 595, 645 and 667 Taunton Road East and the unimproved Murton Street road allowance: R2/R4-A/R6-A “h-22” (Residential) Lands to the south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance: UR (Urban Reserve), R1-D.Y4.5.C45“h-20” (Residential), R1-E.Y4.5.C45“h-20” (Residential), R2.Y4.5.C45“h-20” (Residential) (see Attachment 1) 	Appropriate Residential and Planned Commercial Centre zones to implement the proposed draft plan of subdivision. A portion of the draft plan of subdivision will remain zoned UR (Urban Reserve)
Use	<ul style="list-style-type: none"> 667 Taunton Road East: Single detached dwelling 595, 645 and 657 Taunton Road East: Vacant lots (formerly occupied by single detached dwellings) Unimproved Murton Street road allowance: (vacant) Lands to the south of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance: Vacant, with two north-south earth berms (on Blocks 107 and 108, Plan 40M-2157 and Blocks 159 and 160, Plan 40M-2309) 	Single detached dwellings (Lots 1 to 11), street townhouses (Blocks 12 to 15), block townhouses (Blocks 16 and 22), a block for medium density residential and commercial uses (Block 17), a commercial block for commercial development including a grocery store (Block 19), a future development block (Block 18), two (2) new Collector Roads, a new local road, a road widening block (Block 21) and a block for the future westerly extension of Grand Ridge Avenue (Block 20). The unimproved Murton Street road allowance is included in the Official Plan and Zoning By-law amendment applications but is not included in the draft plan of subdivision.

The following are adjacent land uses to the Subject Site:

- North** Taunton Road East, beyond which is a shopping plaza, single detached dwellings, street townhouse dwellings and Clearbrook Drive
- South** Other vacant lands owned by Whitby Meadows Inc. and Grand Ridge Park, on the south side of the future extension of Grand Ridge Avenue

- **East** Grand Ridge Avenue and a City-owned north-south open space corridor containing a creek channel and a planned future recreational trail, beyond which are single detached dwellings on Langley Circle, Taggart Crescent and Grand Ridge Avenue
- **West** An asphalt plant operated by Coco Paving and various commercial uses fronting Wilson Road North and Taunton Road East

The following are the proposed development details for the Subject Site:

Site Statistics Item	Measurement
Total Area of Subject Site (including the unimproved Murton Street road allowance)	7.75 ha (19.15 ac.)
Net Residential Area of Single Detached Dwellings (Lots 1 to 11)	0.402 ha (0.99 ac.)
Number of Proposed Single Detached Dwellings	11
Net Residential Density of Single Detached Dwellings	27.4 u/ha (11.1 u/ac.)
Minimum Lot Frontage of Proposed Single Detached Dwellings	11.0m (36 ft.)
Net Residential Area of Street Townhouse Blocks (Blocks 12 to 15)	0.401 ha (0.99 ac.)
Number of Proposed Street Townhouse Dwellings	16
Net Residential Density of Street Townhouses	39.9 u/ha (16.2 u/ac.)
Net Area of Proposed Medium Density I Residential Blocks Proposed for Block Townhouses (Blocks 16 and 22)	1.938 ha (4.79 ac.)
Proposed Maximum Number of Block Townhouse Dwellings on Medium Density I Residential Blocks (Blocks 16 to 22) [at a maximum density of 40.2 units per net hectare (16.3 u/ac.)]	78
Net Residential Density of Block Townhouses	40.2u/ha (16.28/ac.)
Net Area of Proposed Medium Density II Residential Block (Block 17)	0.294 ha (0.73 ac.)
Maximum Number of Residential Units on Medium Density II Residential Block (Block 17) [at a maximum density of 85 units per net hectare (34 u/ac.)]	25 units
Maximum Net Density of Residential Units on Medium Density II Residential Block 17	85 u/ha (34 u/ac.)
Total Maximum Gross Floor Area of Commercial Uses on Medium Density II Residential Block 17	500m ² (5,382 sq. ft.)
Area of Proposed Commercial Block (Block 19)	2.062 ha (5.1 ac.)
Area of Unimproved Murton Street road allowance	0.19 ha (0.47 ac.)
Area of Combined Commercial Block 19 and the Unimproved Murton Street road allowance	2.252 ha (5.56 ac.)

Site Statistics Item	Measurement
Maximum Gross Floor Area of any Commercial Use on Combined Area of Commercial Block 19 and the Murton Street road allowance	4,800 sq. m. (51,668 sq. ft.)
Area of Future Development Block (Block 18)	1.051 ha (2.6 ac.)
Area of Future Road (Block 20)	0.22 ha (0.54 ac.)

5.2 Oshawa Official Plan and Pinecrest Part II Plan

The Subject Site is designated as Residential in the O.O.P. The Residential policies of the O.O.P. state that areas designated as Residential shall be used predominately for residential dwellings. Limited office, retail, personal service and convenience commercial uses are also permitted up to 1,000 square metres (10,674 sq. ft.).

The Applicant's proposal includes a commercial development component including a grocery store. The size of the proposed commercial component [maximum 4,800 square metres (51,668 sq. ft.) of gross floor area] exceeds the size permitted in the Residential land use designation. The Applicant has submitted an Official Plan Amendment application to permit a Local Central Area.

Policy 2.1.1.3 of the O.O.P. addresses the role and function of the various types of Central Areas in Oshawa. Subsection (d1) of this policy relates specifically to Local Central Areas, and states as follows:

"2.1.1.3(d1) The Local Central Areas shall serve the day-to-day needs of the residents in the surrounding residential neighbourhoods and shall be planned and developed similar to, but generally smaller in scale than, Community Central Areas. Local Central Areas shall be planned to support an overall long-term target of at least 24 residential units per gross hectare (9.71 residential units/gross ac.) and a Floor Space Index of 1.0."

Policy 2.1.2.4 of the O.O.P. provides guidance with respect to the general built form intended for new development and redevelopment in the City's Central Areas. Subsection (f) of this policy relates specifically to Local Central Areas, and states as follows:

"2.1.2.4(f) Within Local Central Areas: a mix of predominately compact, intensive, low-rise development, with some complementary and compatible mid-rise development. Buildings at corner locations should generally be equal to or higher than buildings in mid-block locations."

Policies 2.2.3.1, 2.2.3.2 and 2.2.3.6 of the O.O.P. relates to Planned Commercial Centres. Given the combined size of Commercial Block 19 and the unimproved Murton Street road allowance and the amount of proposed commercial floor space, this component of the proposed revised draft plan of subdivision corresponds to the parameters of Table 1 of the

O.O.P. that would classify the proposed Local Central Area as a neighbourhood level shopping centre. These policies read as follows:

- “2.2.3.1 Areas designated as Planned Commercial Centre on Schedule “A” of this Plan and in Part II Plans are intended to be developed as shopping centres within Central Areas and such designations may apply to one or more properties.”
- “2.2.3.2 Areas designated as Planned Commercial Centre shall permit commercial uses that are related to the type and function of respective shopping centres as shown on Table 1. In addition, parks and recreational uses, medium and high density residential uses, mixed-use developments and community uses such as day care centres, places of worship and libraries may be permitted in areas designated as Planned Commercial Centre provided such uses are compatible with surrounding land uses and subject to the inclusion of appropriate policies in the zoning by-law and any other relevant policies of this Plan. Further, the City shall encourage existing shopping centres to be redeveloped with a full array of compatible uses, particularly residential uses, in accordance with the relevant policies of this Plan.”
- “2.2.3.6 For every proposal to amend this Plan to designate a Planned Commercial Centre of a size exceeding 1,400 square metres (15,070 sq. ft.) of gross leasable floor space for the retailing of goods and services, the proponent shall submit a transportation impact study which analyses, to the satisfaction of the City, the transportation implications of the proposed development upon adjacent roads and details any design measures required to resolve any potential transportation problems. A transportation impact study may be required for those proposals for Planned Commercial Centre development that are of a lesser size.”

The Applicant has submitted a T.I.S. dated January 2018 and last revised August 2020 prepared by Cole Engineering Group Ltd. that has been reviewed by the City and Region’s professional transportation staff.

In the Pinecrest Part II Plan, the Subject Site is designated as Medium Density I Residential generally along Taunton Road East, with the lands to the south designated as Low Density Residential (see Attachment 4).

The Low Density Residential designation generally includes such uses as single detached, semi-detached and duplex dwellings at a density of up to 30 units per hectare (12 u/ac.).

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

The Applicant has requested that:

- (a) The northwest portion of the Subject Site corresponding to Commercial Block 19 and the unimproved Murton Street road allowance be redesignated from Low Density Residential and Medium Density I Residential to Planned Commercial Centre (see Attachment 6);
- (b) The northeast portion of the Subject Site corresponding to Block 17 be redesignated from Medium Density I Residential to Medium Density II Residential subject to Policy 8.4.6.12 to also permit Medium Density I Residential uses and a site specific policy to also permit convenience stores (see Attachment 6); and,
- (c) The portion of the Subject Site corresponding to Blocks 12 to 16 and 22 be redesignated from Low Density Residential to Medium Density I Residential (see Attachment 6).

The portion of the Subject Site corresponding with Lots 1 to 11 and Block 18 would remain designated as Low Density Residential (see Attachment 6).

The Medium Density II Residential designation generally includes uses such as townhouses, low rise apartments and medium rise apartments at a net density range of 60 to 85 units per hectare (24 to 34 u/ac.). In the Pinecrest Part II Plan, day care centres may also be permitted in areas designated as Medium Density II Residential provided that such uses are compatible with surrounding residential uses.

Policy 8.4.6.12 of the Pinecrest Part II Plan states as follows:

“8.4.6.12 Notwithstanding any other policies of the Part II Plan to the contrary, the following lands designated as Medium Density II Residential may be developed for residential purposes at the Medium Density I Residential density range in accordance with Section 2.3 of the Part I Plan and for uses in accordance with Policies 8.4.6.3 and 8.4.6.4 of this Part II Plan:

- Lands along the south side of Taunton Road East, west of Townline Road North, between the Planned Development Area and the Planned Commercial Strip area as shown on Schedule “A”, Pinecrest Land Use and Road Plan.

The Applicant has requested permission to permit convenience stores as an additional permitted use in the area proposed to be designated as Medium Density II Residential subject to Policy 8.4.6.12 (i.e. Block 17), provided that the total maximum gross floor area of this component of the revised draft plan of subdivision does not exceed 500 square metres (5,382 sq. ft.). Policy 2.3.1.3 of the O.O.P. states as follows:

“2.3.1.3 Convenience stores which are compatible with their surroundings may be permitted in areas designated as Residential or integrated into residential developments permitted in other designations subject to the

inclusion of appropriate provisions in the zoning by-law and the following:

- (a) Not generally exceeding 200 square metres (2,155 sq. ft.) of gross retail and/or personal service floor space;
- (b) Serving primarily 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 commercial uses not of a convenience nature;
- (c) Including adequate off-street parking and loading spaces on the site; and,
- (d) The provision of Policies 2.2.8.3 and 2.2.8.4 of this Plan shall apply to mixed commercial-residential developments.”

O.O.P. Policies 2.2.8.3 and 2.2.8.4, as referenced above under Subsection (d) of Policy 2.3.1.3, read as follows:

“2.2.8.3 The scale, massing and design of mixed commercial-residential developments shall be encouraged to be compatible and in harmony with adjacent residential areas. In addition, such developments shall be designed so as to provide adequate separation distance from adjacent residential developments of significantly lesser scale in order to minimize any deleterious effects related to noise, traffic and overshadowing.

2.2.8.4 The development of mixed commercial-residential developments shall be subject but not limited to the following considerations:

- (a) Amenity space being provided for the residential component that is functionally separated from public areas associated with the commercial component;
- (b) The residential component not being adversely affected by audio, visual, olfactory or pollution impacts emanating from the commercial component; and
- (c) Parking and service areas associated with the commercial component being physically and functionally separated wherever possible from those areas associated with the residential component.”

Policy 8.4.2.1 of the Pinecrest Part II Plan states as follows:

“8.4.2.1 The areas designated as Planned Commercial Centre are designated as Local Central Areas in the Part I Plan. The Planned Commercial Centre is the commercial component of the Local Central Area and shall be subject to the relevant policies of Section 2.1 and 2.2 of the Part I Plan.”

Policy 8.4.2.4 of the Pinecrest Part II Plan states as follows:

“8.4.2.4 Prior to adopting an implementing zoning by-law to permit the proposed development of the areas designated as Planned Commercial Centre, the City may require the owner to prepare a retail analysis to determine the effect of such proposed development upon existing competing commercial uses or upon other Central Areas and/or market study to determine the viability of the proposed additional retail, office and personal service floor space.”

The Applicant has submitted a Retail Market Demand and Impact Assessment dated July 3, 2020 prepared by Tate.

Tate came to the following conclusions:

- The development of a grocery store [2,500 square metres (26,911 sq. ft.)] on the Subject Site will not preclude the development of other potential grocery stores elsewhere in north Oshawa. Accounting for both existing grocery stores and potential new grocery stores up to 2029, the sales performance of other existing grocery stores as well as planned grocery stores in north Oshawa will remain above industry standards.
- The development of the other commercial uses on the Subject Site [2,230 square metres (approximately 24,004 sq. ft.)] is considered minor in the overall market context of Oshawa.

The Development Services Department retained J.C.W.G. to conduct a third party peer review of Tate’s report on behalf of the City. The Applicant paid for the peer review.

J.C.W.G. accepted Tate’s methodology and agreed with Tate’s conclusions.

Taunton Road East is a Type ‘A’ Arterial Road in both the O.O.P. and the Pinecrest Part II Plan. Grand Ridge Avenue is designated as a Collector Road in the O.O.P. and the Pinecrest Part II Plan. In accordance with the O.O.P. and the Pinecrest Part II Plan, it is intended that Grand Ridge Avenue be extended westerly in the future to intersect with Wilson Road North through future development. A future north-south Collector Road is also designated in both the O.O.P. and the Pinecrest Part II Plan linking Grand Ridge Avenue and Taunton Road East (i.e. the southerly extension of Clearbrook Drive).

Policy 8.4.11.4 of the Pinecrest Part II Plan states as follows:

“8.4.11.4 Prior to the completion of the collector road between Wilson Road North and Harmony Road North where it intersects Wilson Road North, a temporary collector road access may be provided to Taunton Road East through the Murton Street road allowance. This temporary collector road access shall comply with City of Oshawa road design standards. In addition, no direct access shall be permitted to lands abutting the temporary collector road which is intended to be closed in the long term.”

The use of the Murton Street road allowance as a temporary road connection to Taunton Road East will not be required given that the north-south Collector Road (Street 'A', representing the southerly extension of Clearbrook Drive) and the extension of Grand Ridge Avenue (Street 'C') would ultimately both be constructed as part of the subject development, which includes the lands necessary to extend each road. The further extension of Grand Ridge Avenue westerly to Wilson Road North would take place at such time as the Coco Paving asphalt plant site is redeveloped. The Applicant has set aside sufficient land to extend Grand Ridge Avenue to the west limit of the Subject Site in the future (Block 20).

In the fullness of time the north-south Collector Road (Street 'A' representing the southerly extension of Clearbrook Drive) would connect to Grand Ridge Avenue.

Section 8.4.12.11 of the Pinecrest Part II Plan states as follows:

“8.4.12.11 Prior to the development of lands adjacent or in proximity to an existing industrial use, the appropriate acoustic, soils, engineering or other technical studies shall be undertaken by a qualified consultant to determine the extent of any abatement measures, setbacks and/or buffers that may be required in accordance with the applicable Ministry of the Environment, Conservation and Parks policies.”

The existing earth berms on the Subject Site (see Attachment 2) were primarily established to mitigate the effects of noise emanating from the Coco Paving asphalt plant on Wilson Road North on the residential areas to the east and southeast of the Subject Site. The Applicant intends to modify both existing earth berms and also use the proposed on-site commercial buildings to help mitigate the effects of noise emanating from the Coco Paving asphalt plant. The Applicant has applied to amend the associated subdivision agreements to allow both earth berms to be altered. If the applications are approved, the existing subdivision agreements would be discharged from the Subject Site and replaced with a new agreement for this draft plan of subdivision.

The existing berms are described as follows:

- Westerly Berm: This earth berm is located on Blocks 107 and 108, Plan 40M-2157 and Block 160, Plan 40M-2309 (see Attachment 2). This berm is approximately 16 metres (52.5 ft.) high at its tallest point.
- Easterly Berm: This earth berm is located on Block 159, Plan 40M-2309 (see Attachment 2). This berm is approximately 8 metres (26.2 ft.) high at its tallest point.

The Applicant proposes to build out the subject revised draft plan of subdivision in three phases in order to maintain the integrity of the noise buffering provided by the existing

earth berms for the existing residential areas and the proposed residential development in the subject revised draft plan of subdivision. These phases are as follows:

Phase 1:

- Reduce the length of the Westerly Berm in order that Block 19 and the Murton Street road allowance can be developed with commercial uses. The Applicant proposes to construct a 10 metre (33 ft.) high commercial building at the south end of Block 19, replicating the function of that part of the berm currently located in Block 19 as a noise buffer. Accordingly, the remainder of the Westerly Berm located in the subject revised draft plan of subdivision would be limited to Blocks 18 and 20. The south portion of the existing Westerly Berm located outside the limits of the Subject Site on Block 107, Plan 40M-2157 would remain as-is. According to the Applicant's noise consultant (YCA Engineering Limited), the modified berm and the proposed new commercial building will maintain appropriate noise mitigation for the proposed and existing residential units in the area.
- Construct an additional 1 metre (3.3 ft.) high earth berm on top of the existing Easterly Berm to provide supplementary noise mitigation for existing residential uses east of the Subject Site during the alteration of the Westerly Berm and construction of the new commercial building. The existing Easterly Berm is located on Lots 6 to 11, Blocks 14, 15 and 22, and portions of Block 16 and Street 'B'.
- Construct the extension of Clearbrook Drive (Street 'A') from Taunton Road East to Street 'B'.
- Construct the Grand Ridge Avenue extension (Street 'C') from its current westerly terminus to the southeast corner of Block 18.

Phase 2:

- Reduce the width and length of the Easterly Berm on the north, south and west sides so that it covers only Lots 9 to 11 and Blocks 15 and 22 in the subject revised draft plan of subdivision.
- Develop Lots 1 to 8 with 8 single detached dwellings on Grand Ridge Avenue.
- Develop Blocks 12 to 14 with 13 street townhouses on Street 'B'.
- Develop Block 16 with up to 62 block townhouses.

Phase 3:

- Remove the remaining portion of Westerly Berm located on the Subject Site and develop Block 18, including a further westerly extension of Grand Ridge Avenue on Block 20 (the development of Block 18 will require a future zoning by-law amendment to replace the existing UR zoning of the block).
- Remove the Easterly Berm in its entirety and develop Lots 9 to 11 with single detached dwellings, Block 15 with 3 street townhouses, and Block 22 with up to 16 block townhouses.

Phase 3 would only proceed when/if the adjacent asphalt paving plant site (Coco Paving) is redeveloped for a use that does not require the earth berms for noise mitigation purposes.

In order to address Policy 8.4.12.11 of the Pinecrest Part II Plan, the Applicant submitted an Air Quality Assessment prepared by EXP Services Inc. ("E.X.P."), a professional engineering company employing air quality and industrial emissions scientists, and an Environmental Noise Assessment prepared by YCA Engineering Limited ("Y.C.A."), a professional stationary and transportation noise and vibration engineering consultant.

The Region of Durham Planning and Economic Development Department retained PGL Environmental Consultants ("P.G.L.") and SLR Consulting (Canada) Ltd. ("S.L.R.") to conduct a third party peer review of E.X.P.'s Air Quality Assessment and Y.C.A.'s Environmental Noise Assessment. P.G.L. is a professional engineering company employing air quality and industrial emissions scientists. S.L.R. is a professional engineering consultant employing noise and vibration engineers. All peer review costs were paid for by the Applicant. In response to P.G.L.'s and S.L.R.'s peer review letters, E.X.P. and Y.C.A. completed follow-up assessment work and revised reports.

E.X.P. came to the following conclusions from an air quality perspective:

- The Subject Site is located within the area of influence of one industrial facility (Coco Paving's asphalt plant) and one commercial operation (Sunbelt Rentals).
- No significant fugitive dust emissions were observed from the Coco Paving asphalt plant.
- Potential minor effects on the proposed development exists as a result of the Coco Paving asphalt plant when the prevailing wind direction is such that the Subject Site is directly downwind from the plant. Odours are expected to be faint and intermittent, likely related to the intensity of the asphalt plant operations.
- All residential units are to be constructed with air conditioning.
- The mechanical design of all residential units is to include best practices of building pressurization and filtration.
- Warning clauses advising purchasers and occupants that there may be occasional odours experienced at the dwelling unit due to the proximity of the nearby industrial facility are required in all agreements of purchase and sale or rental/lease for residential units in the subject revised draft plan of subdivision.
- Sensitive land uses (e.g. residential, day care centre, private school, etc.) are not to be permitted on Block 19 and the unimproved Murton Street road allowance while the asphalt plant is operational.

Y.C.A. came to the following conclusions from a noise perspective:

- The single detached dwellings on Lots 1 to 8, the street townhouse dwellings on Blocks 12 to 14 and the block townhouses on Block 16 are to be limited to two storeys in height and are required to be constructed with air conditioning.
- Warning clauses are required for Lots 1 to 8 and Blocks 12 to 14 and 16 advising purchasers and occupants that due to the proximity of the adjacent industry, noise from the industry may at times be audible, and that the dwelling has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed as noise from the industry is audible.
- Standard building construction meeting the Ontario Building Code will be acoustically acceptable for all residential units.
- The noise activities from the asphalt plant are expected to meet the Class 4 Area sound level limits outlined in the Guideline at the proposed residential properties.
- The development of Lots 9 to 11 and Blocks 15, 18 and 22 shall not be permitted while the asphalt plant remains in operation.
- Residential uses are not permitted on Block 19 and the Murton Street road allowance while the asphalt plant remains in operation.
- Due to the distance between the nearest vibration sources at the asphalt plant (the kiln and crusher) and the nearest proposed residential buildings [approximately 200 metres (656 ft.)], vibration is not expected to negatively affect the proposed dwellings.

P.G.L. and S.L.R. agreed with the final conclusions and recommendations of the Air Quality Assessment and Environmental Noise Assessment reports.

A professional acoustical engineer will be required to complete an additional noise study for the detailed design of the proposed commercial buildings to demonstrate that any loading areas and noise from mechanical units on the proposed commercial buildings comply with the M.E.C.P. guidelines for nearby existing and proposed residential uses, and that the proposed commercial buildings implement the recommendations of the Environmental Noise Assessment. A follow-up assessment will also be required once the commercial buildings are completed.

Coco Paving has reviewed the reports by E.X.P. and Y.C.A. as well as the peer review letters from P.G.L. and S.L.R. and has no objections to the conclusions.

This Department has no objection to the approval of the revised applications to amend the O.O.P. and the Pinecrest Part II Plan. Section 5.9 of this Report sets out the rationale for this position.

5.3 Zoning By-law 60-94

The Subject Site is currently zoned with a variety of zones (see Attachment 1), as outlined in detail in Section 5.1 of this Report.

The R1 (Residential) Zones permit single detached dwellings.

The R2 (Residential) Zones permit single detached, semi-detached and duplex dwellings.

The R4-A (Residential) Zone permits block townhouses having a net density up to 60 units per hectare (24 u/ac.).

The R6-A (Residential) Zone permits apartment buildings having a net density up to 60 units per hectare (24 u/ac.).

The UR (Urban Reserve) Zone permits existing uses, agricultural uses (not including new farm dwellings) and outdoor recreational uses without buildings.

The “h-20” holding symbol requires appropriate arrangements for sanitary, water, storm and transportation services to serve the development and that a subdivision agreement be executed.

The “h-22” holding symbol requires a site plan agreement.

The Applicant proposes to amend Zoning By-law 60-94 to implement the subject revised draft plan of subdivision. The revised proposed zoning amendment would:

- Rezone Lots 1 to 11 to an appropriate R1 (Residential) Zone which would permit single detached dwellings including special regulations related to minimum lot frontage, minimum lot area and maximum building height;
- Rezone Blocks 12 to 15 to an appropriate R3 (Residential) Zone which would permit street townhouses including special regulations related to minimum lot area and maximum building height;
- Rezone Blocks 16 and 22 to an appropriate R4-A (Residential) Zone which would permit block townhouses including special regulations related to maximum density and height;
- Rezone Block 17 to an appropriate R4-A/R6-B (Residential) Zone which would permit block townhouses, apartment buildings, long term care facilities, nursing homes and retirement homes including special regulations related to maximum density. The Applicant has also requested zoning that would permit day care centres and convenience stores in a mixed use commercial/residential building, up to a combined total commercial gross floor area of 500 square metres (5,382 sq. ft.) provided that convenience stores do not exceed a gross floor area of 200 square metres (2,155 sq. ft.); and,
- Rezone Block 19 and the unimproved Murton Street road allowance to an appropriate PCC-D (Planned Commercial Centre) Zone to permit a commercial development having a maximum gross floor area of 4,800 square metres (51,668 sq. ft.) including a special regulation related to minimum exterior side yard depth and subject to a special regulation requiring lands within Block 19 to be amalgamated and to have those lands amalgamated with the Murton Street road allowance before development occurs and a

special regulation permitting a grocery store with a maximum gross floor area of 2,510 square metres (27,000 sq. ft.). The proposed PCC-D zoning would also permit certain residential and other sensitive land uses in the event the asphalt plant were to be removed in the future.

Blocks 18 and 20 would remain zoned UR (Urban Reserve).

Attachment 11 is a list of the uses permitted in the PCC-D (Planned Commercial Centre) Zone requested by the Applicant for Block 19 and the unimproved Murton Street road allowance. The PCC-D Zone permits a maximum residential net density of 150 units per hectare (60 u/ac.).

This Department has no objection to a rezoning that would implement the Applicant's proposed zoning by-law amendment subject to the above special regulations and the following:

- An "h" holding symbol will be applied to the subject revised draft plan of subdivision, to be removed only when the subdivision agreement, including acceptable financial provisions with respect to services and facilities, is executed. The subdivision agreement will include requirements related to implementing compatibility measures with the nearby asphalt plant. While this holding symbol is in place only existing uses, model homes, a temporary sales office and UR (Urban Reserve) Zone uses would be permitted;
- An additional "h" holding symbol will be applied to Blocks 16, 17, 19 and 22 and the unimproved Murton Street road allowance, to be removed only when a site plan agreement is executed for the development of each block and the unimproved road allowance. The site plan agreement will include requirements related to implementing compatibility measures with the nearby asphalt plant, airport height restriction compliance, waste storage and an odour study for any restaurant use. While this holding symbol is in place, only UR (Urban Reserve) Zone uses would be permitted;
- An additional "h" holding symbol will be applied to Lots 9 to 11 and Blocks 15 and 22 to prohibit development until the asphalt plant on Wilson Road North is no longer operational and the Easterly Berm is no longer required to provide noise mitigation for existing dwellings to the east. While this holding symbol is in place, only UR (Urban Reserve) Zone uses;
- An additional "h" holding symbol will be applied to Block 19 and the unimproved Murton Street road allowance, to be removed only when the asphalt plant on Wilson Road North is removed. In the interim, sensitive land uses (e.g. apartment buildings, block townhouses, day care centres, private schools, etc.) will not be permitted on Block 19 and the unimproved Murton Street road allowance. While this holding symbol is in place, all non-sensitive uses permitted in the PCC-D (Planned Commercial Centre) Zone would be permitted;
- An additional "h" holding symbol will be applied to Block 17 to prohibit development until a cross-access easement is granted to the properties to the east on Taunton Road East to provide driveway access to Street 'A';

- The “h” holding symbol for Blocks 16 and 22 will require reciprocal cross access easements so that future development on Block 22 once the Easterly Berm is no longer required can be integrated with the development on Block 16.
- The maximum combined gross floor area of non-residential uses (day care centre and convenience store) on Block 17 will be limited to 500 square metres (5,382 sq. ft.), and the maximum gross floor area of any individual convenience store will be limited to 200 square metres (2,153 sq. ft.);
- The maximum height of all buildings on Lots 1 to 8 and Blocks 12 to 14 and 16 will be limited to two storeys or 7.5m (24.6 ft.), whichever is lesser, in order to comply with the revised Environmental Noise Assessment; and,
- The maximum residential net density on the southern portion of Block 19 will be limited to 60 units per hectare (24 u/ac.) in the event Block 19 is ever redeveloped for residential uses in the future, once the asphalt plant is removed.

Section 5.9 of this Report sets out the rationale for this Department's support for the above-noted rezoning.

5.4 Taunton-Harmony Corridor Study

In 2003, City Council endorsed the final report of the Taunton-Harmony Corridor Study, Recommended Land Use Plan and Urban Design Concept (see Attachment 10), as the basis for future planning in the Taunton-Harmony Corridor Study Area and passed a resolution directing staff to prepare amendments to the O.O.P. and Zoning By-law 60-94 to implement the Recommended Land Use Plan.

In 2005, City Council passed a resolution to approve certain technical amendments to the O.O.P. and Zoning By-law 60-94 to implement the study's conclusions for the “southwest quadrant” of the study area, located south of Taunton Road East, west of Harmony Road North.

The amendments to the O.O.P. and the Pinecrest Part II Plan for the southwest quadrant included:

- (a) Redesignating the lands fronting the south side of Taunton Road east from the Murton Street road allowance to 767 Taunton Road East from Low Density Residential to Medium Density I Residential in the Pinecrest Part II Plan (767 Taunton Road East was subsequently subject to amendments to the O.O.P., the Pinecrest Part II Plan and Zoning By-law 60-94 to permit Planned Commercial Strip uses); and,
- (b) Designating a new collector road running south from Taunton Road East to Grand Ridge Avenue as a future extension of Clearbrook Drive in the O.O.P. and the Pinecrest Part II Plan.

The extension of Clearbrook Drive south of Taunton Road East to Grand Ridge Avenue as a Collector Road is intended to provide the principal point of access into the southwest portion of the Taunton-Harmony Corridor Study area from Taunton Road East. This

Collector Road is intended to provide an alternative means of accessing Taunton Road East for the existing/planned residential neighbourhood south of Taunton Road East and west of Harmony Road North rather than travelling out to Harmony Road North (or Wilson Road North in the future). Furthermore, the Collector Road extension would relieve some congestion at the intersection of Harmony Road North and Taunton Road East.

The north-south Collector Road is also expected to facilitate medium density residential redevelopment opportunities along the south side of Taunton Road East by providing the primary vehicular access location due to the expectation that direct vehicular access to Taunton Road East would otherwise be limited to “right-in/right-out” driveways for Taunton Road East properties.

Traffic signals are planned for the intersection of Taunton Road East and Clearbrook Drive. The Region and Applicant will be responsible for the design and construction costs of the traffic signals and other intersection improvements (i.e. dedicated turning lanes).

Attachment 10 to this Report is a copy of the Recommended Urban Design Concept from the Taunton-Harmony Corridor Study Final Report. The Recommended Urban Design Concept shows a potential private road network on the Taunton Road East properties from the Murton Street road allowance to 767 Taunton Road East with access from the southerly extension of Clearbrook Drive and a single right-in/right-out driveway on Taunton Road. The Taunton-Harmony Corridor Study acknowledged that the depth of these properties precluded a public local road pattern in this area and that cross-access property easements are essential to the development of lands along arterial roads where access management controls on the roadway restrict access and where property ownership is fragmented. The Region has advised that this development should provide cross-access easements to the properties to the east of the Clearbrook Drive extension in order to allow vehicular access to the extension of Clearbrook Drive, thereby ensuring that any potential development on these lands does not require individual access to Taunton Road East.

Appropriate amendments are recommended to the Taunton-Harmony Corridor Study to reflect the change from residential uses to commercial uses west of Street ‘A’.

5.5 Class 4 Area Request Pursuant to the Ministry of the Environment, Conservation and Parks Noise Guideline

Coco Paving operates an asphalt plant directly to the west of the Subject Site at 1255 Wilson Road North (see Attachments 1 and 2). The facility is a medium scale industrial facility with several potential sources of noise such as an industrial kiln, crusher, truck movements and other industrial equipment. Coco Paving has an Environmental Compliance Approval from the M.E.C.P.

Other sources of noise in proximity to the Subject Site were the rooftop mechanical units and loading/unloading activities at the Canadian Tire building west of the Subject Site at 1333 Wilson Road North and the Sunbelt Rental building at 1277 Wilson Road North.

The Applicant’s proposal in 2018 (see Attachment 7) included the following features for certain single detached dwellings and street townhouses in order to mitigate noise from the

Coco Paving asphalt plant and the commercial buildings to the west of the Subject Site, in addition to the alteration of the existing berms as described in this Report:

- Fifty-six (56) of the 98 single detached dwellings and street townhouse dwellings required angled/screened windows for certain north and south facing windows;
- All dwellings required air conditioning;
- All dwellings would be limited to two storeys in height;
- No second storey bedroom windows would be permitted facing west for the 30 closest single detached dwellings and street townhouse dwellings;
- Noise fences, 4 metres (13.1 ft.) and 5 metres (16.4 ft.) in height, would be required on the west property line of the dwellings closest to Street 'A' to mitigate noise in the rear yards of certain dwellings;
- Warning clauses would be required in the agreements of purchase and sale or rental/lease for all dwellings advising of the proximity of the asphalt plant and potential noise from the plant.

These features were recommended by the Applicant's noise consultant, Y.C.A. Y.C.A. made these recommendations based on the understanding that the Subject Site is considered to be a Class 1 Area in accordance with the Guideline.

Staff were of the opinion that angled windows and 4 metre (13.1 ft.) and 5 metre (16.4 ft.) high noise fences were inappropriate.

The Applicant subsequently revised the subject draft plan of subdivision (see Attachment 8) and Y.C.A. revised the Environmental Noise Assessment. The Applicant also submitted a letter (DS-20-26 – see Attachment 12) requesting that the City classify the residential portion of the subject revised draft plan of subdivision as a Class 4 Area under the Guideline. The revised Environmental Noise Assessment prepared by Y.C.A. is based on the assumption that Lots 1 to 8 and Blocks 12 to 14 and 16 of the Subject Site are classified as a Class 4 Area under the Guideline.

The Guideline provides advice on sound level limits that may be used when land use planning decisions are made under the Planning Act. They are intended to minimize the potential conflict between proposed noise sensitive land uses and stationary sources of noise emissions (e.g. industrial facilities). The Guideline provides 4 classification options (Class 1, 2, 3 and 4). The current classification of the Subject Site is Class 1.

The Guideline defines Class 1 Areas as those with an acoustic environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum".

A Class 4 Area is an acoustical environment where higher daytime and nighttime sound level limits from that otherwise permitted in an urban area, for both indoor and outdoor areas, may be considered. A Class 4 Area is defined as an area or specific site that:

- Would otherwise be defined as a Class 1 or 2 Area;
- Is an area intended for development with new noise sensitive land use(s) (e.g. residential dwellings) that are not yet built;
- Is in proximity to existing, lawfully established stationary source(s); and,
- Has formal classification from the land use planning authority (the City) with the Class 4 Area classification which is determined during the land use planning process.

The Guideline allows receptor-based noise control measures to be accounted for through measures such as closed exterior doors and windows and specific construction techniques/materials. However, the Guideline does not allow receptor-based noise control measures to be accounted for in Class 1, 2 and 3 Areas. For Class 1, 2 and 3 Areas, noise assessments for stationary noise must assume that exterior doors and windows of the sensitive land use (dwelling units) are always open. For Class 4 Areas, noise assessments may assume that exterior doors and windows are closed as long as air conditioning is included in the design of the dwelling unit. This allows for higher daytime and nighttime sound level limits and means occupants can close their windows and doors and continue to properly cool their home.

Where receptor-based noise control measures are proposed, their implementation is to be required through a formal agreement between the developer and the City (e.g. Site Plan Agreement or Subdivision Agreement).

Y.C.A.'s revised Environmental Noise Assessment finds that the revised draft plan can comply with the Class 4 Area sound level limits. Air conditioning will be required in all dwellings. Using the higher sound level limits of the Class 4 Area for indoor and outdoor areas allows the angled/screened windows and the 4 metre (13.1 ft.) and 5 metre (16.4 ft.) high noise fences originally proposed to be eliminated.

On behalf of the City and the Region, S.L.R. reviewed the Environmental Noise Assessment and the Applicant's request for the residential portion of the proposed draft plan to be classified as a Class 4 Area. S.L.R. concluded that the Environmental Noise Assessment prepared by Y.C.A. has been completed in accordance with the Guideline and that it would be appropriate to classify a portion of the residential portion of the subject revised draft plan of subdivision as a Class 4 Area.

Formal confirmation of the residential portion of the subject revised draft plan of subdivision as a Class 4 Area would allow Coco Paving to use this classification, the associated sound level limits and Y.C.A.'s Environmental Noise Assessment report in future applications to the M.E.C.P. for Environmental Compliance Approvals. The recognition of higher sound level limits for the Subject Site will provide Coco Paving with flexibility in permitted noise emissions when planning for any changes to the asphalt plant facility.

Coco Paving has reviewed the Environmental Noise Assessment and the subject revised draft plan of subdivision and advises it has no objection to the City designating the residential portion of the draft plan as a Class 4 Area in accordance with the Guideline.

It is recommended that the following process be undertaken for formally confirming the residential portion of the subject revised draft plan of subdivision as a Class 4 Area under the Guideline:

- City Council formally classifies the Class 4 Area classification of Lots 1 to 8 and Blocks 12 to 14 and 16 (these are the only lots and blocks analyzed in the Environmental Noise Assessment as a Class 4 Area);
- A copy of City Council's decision is forwarded to Coco Paving and the Applicant;
- The subdivision agreement and site plan agreements for the Applicant's development will include the following:
 - A requirement that the agreements of purchase and sale and rental/lease for all dwellings units in the development include a warning clause advising occupants, purchasers and subsequent occupants and purchasers of the location of Coco Paving's asphalt plant, that the dwelling is classified as a Class 4 Area in accordance with the Guideline, that the development includes noise mitigation measures, and that the dwelling has been fitted with an air conditioning system which will allow for windows and exterior doors to be closed. The Guideline and the Environmental Noise Assessment provide recommended warning clauses in this regard;
 - A requirement that all dwellings in the development have air conditioning installed by the builder; and,
 - A requirement that upon completion of construction of all dwelling units, a qualified acoustical engineer confirm that the dwellings were installed with air conditioning in accordance with the Environmental Noise Assessment and the Guideline.

The Class 4 Area cannot be extended to other residential properties in this area at this time. Class 4 Area classification can only be applied through a land use planning process to areas or sites intended for development that are not yet built.

Staff are satisfied that the proposed development can be designed to be compatible with the Coco Paving asphalt plant and the Canadian Tire and Sunbelt Rental buildings.

Requirements related to land use compatibility with the Coco Paving asphalt plant (e.g. warning clauses, air conditioning, etc.) will be included in an "h" Holding Symbol on the zoning of the residential portion of the draft plan. The Holding Symbol(s) will indicate that prior to the issuance of any building permits for construction of dwellings, the developer will be required to demonstrate that the proposed buildings comply with the Environmental Noise Assessment and the Guideline and that warning clauses are included in the agreements of purchase and sale and rental/lease.

5.6 Subdivision Design/Land Use Considerations

The subject revised draft plan of subdivision features 11 lots for single detached dwellings (Lots 1 to 11), 4 blocks for 16 street townhouses (Blocks 12 to 15), two medium density residential blocks for up to 78 block townhouses (Blocks 16 and 22), a medium density residential block for up to 25 apartments and/or block townhouses and up to 500 square metres (5,382 sq. ft.) of commercial floor space in a mixed use building (convenience store and day care centre) (Block 17), a commercial block with up to 4,800 square metres (51,668 sq. ft.) of commercial floor area (Block 19) to be consolidated with the Murton Street road allowance, a future development block (Block 18), a block for the future extension of Grand Ridge Avenue (Block 20), a road widening block (Block 21), two (2) new collector roads and a new local road (see Attachment 8).

The Applicant plans to construct a 2,500 square metre (26,911 sq. ft.) grocery store and several other smaller commercial units on Block 19 and the unimproved Murton Street road allowance (see Attachment 9).

Portions of the Subject Site are currently occupied by earth berms designed primarily to mitigate the effects of noise emanating from the Coco Paving asphalt plant on the existing residential land uses located east and southeast of the Subject Site (see Attachment 2).

Grand Ridge Avenue has an existing bicycle route on both sides of the street between Harmony Road North and the west terminus of Grand Ridge Avenue. The subject revised draft plan of subdivision will extend the bicycle route west to the extension of Clearbrook Drive and north on the extension of Clearbrook Drive to Taunton Road East. The east boulevard of the extension of Clearbrook Drive will also have a 3.0 metre (9.84 ft.) wide multi-use path between Taunton Road East and Grand Ridge Avenue.

As described in Section 4.2.2 of this Report, staff recommend that until Grand Ridge Avenue can be extended to Wilson Road North through the Coco Paving asphalt plant, Street 'A' (representing the southerly extension of Clearbrook Drive) terminate at Street 'B' in an elbow into Street 'B', and Street 'C' (representing the westerly extension of Grand Ridge Avenue) terminate in a temporary cul-de-sac where it would have intersected Street 'A' (southeast of Block 18), so that cut-through traffic via Grand Ridge Avenue to/from Harmony Road North to/from the Farm Boy grocery store is not possible. A temporary emergency access will be provided between Streets 'A' and 'C' as well as pedestrian access and water, sanitary and stormwater management services and utilities. 'P' gates at both ends of the temporary emergency access would keep drivers from using it but would accommodate pedestrians and cyclists and emergency vehicles. There will only be 11 new single detached dwellings accessed from Grand Ridge Avenue in this revised draft plan until Grand Ridge Avenue can be extended to Wilson Road North and Street 'A' extended to Grand Ridge Avenue.

Block 17 will be required to provide an easement in favour of adjacent properties situated to the east, on the south side of Taunton Road East, in order that they may be redeveloped in accordance with the existing R1-A (Residential) and R4-A/R6-A (Residential) zoning with driveway access to the Clearbrook Drive extension and the planned signalized intersection of Taunton Road East and Clearbrook Drive.

The Applicant will be required to submit applications for Site Plan Approval for the development of Blocks 16, 17 and 22 and for the development of Block 19 in combination with the unimproved Murton Street road allowance.

As described in Section 5.2 of this Report, the subject revised draft plan of subdivision will be built out in three phases. The purpose of the phasing is to ensure that noise mitigation for existing residential development in the area and the new residential development in the subject revised draft plan of subdivision is maintained at each stage of development of the Subject Site. Lots 9 to 11 and Blocks 15, 18 and 22 will only be developed as Phase 3 at such time as the nearby asphalt plant is replaced with a more compatible land use. At that point in time, Grand Ridge Avenue could be extended through Block 20 and to the west to Wilson Road North, in accordance with the O.O.P. and the Pinecrest Part II Plan. Sensitive land uses (i.e. residential uses, day care centres, private schools, etc.) could then be developed on Block 19 and the unimproved Murton Street road allowance.

Detailed design matters will be reviewed during further processing of the applications to ensure compliance with the City's Landscaping Design policies, engineering standards and other policies if the subject revised applications are approved.

This Department has no objection to the approval of the revised draft plan of subdivision subject to the comments in Sections 4 and 5 of this report and the conditions as generally outlined in Attachment 13 of this Report. Section 5.9 of this Report sets out the rationale for this position.

5.7 Murton Street Road Allowance

Murton Street is a City-owned unimproved road allowance that extends from the south limit of Taunton Road East to a point approximately 90 metres (295 ft.) south of Taunton Road East. Murton Street was conveyed to the City in 1954 with the registration of Plan 561 but was never constructed.

There is a reserve between the south end of the Murton Street road allowance and the Applicant's property to the south. The reserve is 0.3 metres (1 ft.) deep and spans the width of the road allowance [20.1 m (66 ft.)]. The purpose of the reserve is to block access between the road allowance and the Applicant's lands to the south until the necessary arrangement are made to improve the road and develop the Applicant's lands.

The Murton Street road allowance is currently vacant. However, a previous owner of the abutting property to the east (595 Taunton Road East) previously used the unimproved Murton Street road allowance as a second driveway access to their property and as a parking area. While the single detached dwelling at 595 Taunton Road East has since been demolished, the driveway on the Murton Street road allowance remains.

The City has held ownership of the Murton Street road allowance to protect the ability of the lands to the south to be redeveloped in the event that 657 Taunton Road East could not be incorporated into the development of the lands to the south for the logical extension of Clearbrook Drive south of Taunton Road East. The Applicant has authorization from the owner of 657 Taunton Road East (Plaza) to advance a development proposal over the

lands and Plaza will partner with the Applicant to develop the subject revised draft plan of subdivision.

The Applicant submitted a letter dated July 23, 2019 requesting that the City declare the Murton Street road allowance as surplus to municipal needs and requirements (see Item DS-21-04 on the January 11, 2021 Closed Development Services Committee Agenda). The Applicant also requested that they be allowed to purchase the land at fair market value in order to complete the proposed development.

This report recommends that the City-owned unimproved Murton Street road allowance and the associated 0.3m (1 ft.) reserve be declared surplus to municipal needs and requirements and be closed as a public highway in the event that the subject revised draft plan of subdivision is approved.

Given the localized nature of the matter and the Planning Act public meetings held on September 8, 2014 and September 10, 2018, it is recommended that the requirement to declare the Murton Street road allowance and the associated 0.3 metre (1 ft.) reserve as potentially surplus and all notice requirements in accordance with By-law 97-2000 be waived.

It is also recommended that the Murton Street road allowance be formally closed by by-law as a public highway and that the notice requirements (e.g. newspaper advertisements) of the City's Notice By-law 147-2007, as amended, be waived given the public process that occurred during the review and consideration of draft plan of subdivision S-O-2018-01 and the applications to amend the O.O.P. and Zoning By-law 60-94.

As noted in Section 5.3, the zoning of the Murton Street road allowance will be subject to a special regulation that requires Block 19 to be amalgamated with the Murton Street road allowance before development occurs.

Section 5.9 of this Report sets out this Department's rationale for this position.

City Council would subsequently approve a disposal strategy for the potential sale of the lands through a report to the Development Services Committee.

5.8 Registered Plans 40M-2157 and 40M-2309

Block 108, Plan 40M-2157 and Blocks 159 and 160, Plan 4M-2309 were created for the purpose of maintaining the existing Westerly Berm and Easterly Berm, respectively, primarily to mitigate the effects of noise on the residential lands to the east and southeast of the Subject Site (see Attachment 2). The subdivision agreements for Plans 40M-2157 and 40M-2309 obligate the Applicant to maintain the berms as described in the drawings in those agreements.

Block 108, Plan 40M-2157 is part of Blocks 18 and 20 in the proposed revised draft plan of subdivision.

Block 159, Plan 40M-2309 is part of Lots 6 to 11, Blocks 14, 15, 16 and 22 and Streets 'B' and 'C' in the proposed revised draft plan of subdivision.

Block 160, Plan 40M-2309 is part of Blocks 18 and 19 in the proposed revised draft plan of subdivision.

The proposed development will modify these berms as described previously in Section 5.2 of this Report. Accordingly, it is recommended that these agreements be discharged from the Subject Site when a new subdivision agreement(s) is registered for the subject revised draft plan of subdivision to implement the modified berms and other noise mitigation measures for the proposed development.

No other areas of the Subject Site are subject to these existing subdivision agreements.

5.9 Basis for Recommendation

5.9.1 Basis for Recommendation for Planning Applications

This Department has no objection to the approval of the revised applications for the following reasons:

- (a) The proposed development (including single detached dwellings, street and block townhouse dwellings, medium density residential blocks, and a commercial block) on an underutilized property at this location is consistent with the Provincial Policy Statement and conforms with the Provincial Growth Plan;
- (b) The proposed development contributes to a range of housing types in the area;
- (c) The proposed development is transit supportive and is within walking distance of transit routes on Taunton Road East, Wilson Road North and Harmony Road North;
- (d) The proposed development provides opportunities for the extension of existing active transportation infrastructure including the Grand Ridge Avenue bicycle route and a bicycle route and north-south multi-use path along Street 'A' (i.e. the southerly extension of Clearbrook Drive);
- (e) The ultimate extension of the road network will provide improved access to areas north and west of the Subject Site for residents living east and southeast of the Subject Site, will improve emergency access to the existing residential areas east and southeast of the Subject Site, and will improve school bus operations serving St. Joseph Catholic Elementary School;
- (f) The proposed development protects for the future extension of Grand Ridge Avenue further west to Wilson Road North when/if the Coco Paving asphalt plant site on Wilson Road North is ever redeveloped, in accordance with the O. O. P. and the Pinecrest Part II Plan;
- (g) The proposed development will include the installation of traffic signals at the intersection of Taunton Road East and Clearbrook Drive by the Region and intersection improvements at the Applicant's expense;
- (h) The proposed development can be designed to be compatible with adjacent land uses including the Coco Paving asphalt plant;

- (i) A traffic study was prepared by a professional transportation consulting firm that indicated no adverse impact on the existing neighbourhood would result from the proposed development;
- (j) A retail market impact study was prepared by a professional retail market research firm that indicated there was sufficient demand for the proposed commercial development and that the proposed commercial development would not impact existing and planned Central Areas. The retail market impact study was peer reviewed by a third party professional retail market research firm on behalf of the City;
- (k) An air quality assessment was prepared by a professional engineering company employing air quality and industrial emissions scientists which indicated there would be no impact on the proposed residential development from the nearby asphalt plant and recommended mitigation measures. The air quality assessment was peer reviewed on behalf of the Region and the City by a third party professional engineering company employing air quality and industrial emissions scientists;
- (l) An environmental noise assessment was prepared by a professional acoustical engineering firm which indicated that appropriate measures to mitigate noise from the asphalt plant for the existing and planned residential lands can be implemented for the proposed development. The environmental noise assessment was peer reviewed by a third party professional acoustical engineering firm on behalf of the Region and the City;
- (m) The proposed development will not restrict the ability of Coco Paving to continue to operate their asphalt plant on Wilson Road North;
- (n) Coco Paving has no objection to the approval of the revised applications and will provide additional warning clauses for inclusion in agreements of purchase and sale and rental/lease for residential units;
- (o) The Region of Durham and Central Lake Ontario Conservation Authority have no objection to the applications;
- (p) The Subject Site is within the Built Boundary and will help achieve Provincial intensification targets;
- (q) The design of the revised draft plan of subdivision is appropriate for the Subject Site and the proposed development can be designed to be compatible with existing and planned surrounding land uses;
- (r) The proposed development represents good planning; and,
- (s) The proposed development conforms with the Durham Regional Official Plan.

5.9.2 Basis for Recommendation for Murton Street Road Allowance

This Department recommends that the Murton Street road allowance and associated 0.3 metre (1 ft.) reserve be declared surplus to municipal needs and requirements and be

closed as public highway in the event that the revised applications are approved, for the following key reasons:

- (a) They will no longer be required for any identified core City purpose;
- (b) They will not be required as a way to access the proposed development site given that the proposed development by the Applicant includes the southerly extension of Clearbrook Drive, which, as per Policy 8.4.11.4 of the Pinecrest Part II Plan, would make the Murton Street road connection unnecessary;
- (c) They are adjacent to other lands owned by the Applicant or Plaza to the south and east;
- (d) Their disposition would reduce risk and future maintenance costs for the City;
- (e) Their disposition could result in a more efficient use of land if used in conjunction with abutting properties (i.e. lands subject to the development proposal to the south and east); and,
- (f) Their disposition will result in revenue to the City.

6.0 Financial Implications

Based on the approval of the Pinecrest Part II Plan and the current Development Charge Level of Service policy, the City has effectively assumed that there will be certain capital costs related to the construction of a portion of the collector roads.

There will be long term maintenance costs associated with the proposed development (e.g. maintenance of roads).

The cost for the design and installation of traffic signals at the intersection of Taunton Road East and Street 'A' will be the responsibility of the Region of Durham.

The cost for any traffic calming measures on Grand Ridge Avenue, Street 'A' and Street 'C' will be the responsibility of the Applicant.

A condition of approval of the draft plan of subdivision will require the Applicant to provide the City with a fixed payment for the future construction of the extension of Street 'A' to Street 'C' south of Street 'B'.

7.0 Relationship to the Oshawa Strategic Plan

The Recommendation advances the Economic Prosperity and Financial Stewardship, Social Equity and Environmental Responsibility goals of the Oshawa Strategic Plan.



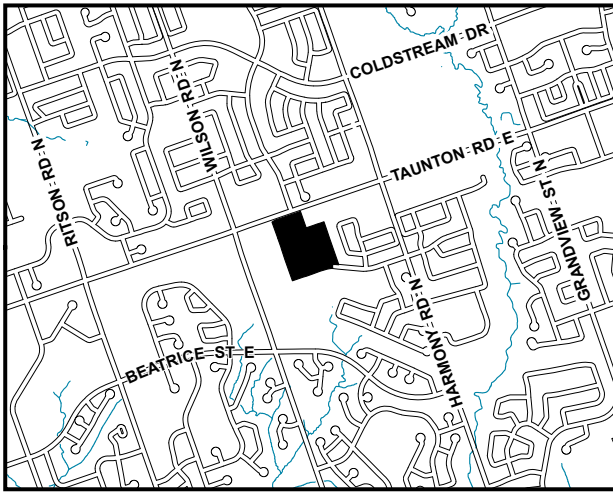
Anthony Ambra, P.Eng., Director
Engineering Services



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



Warren Munro, HBA, RPP, Commissioner,
Development Services Department



Development Services Department

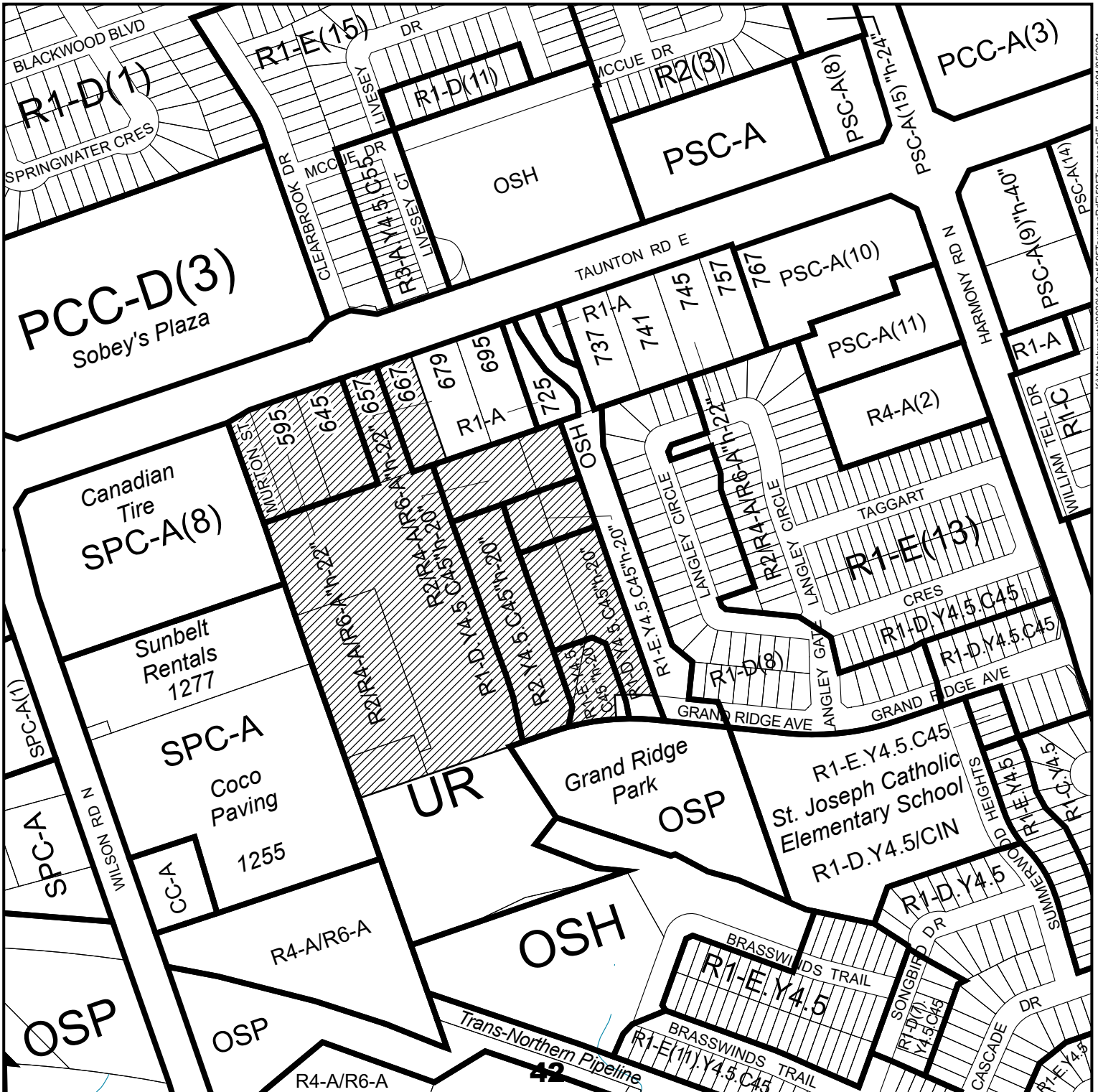
Item: DS-21-05
Attachment 1

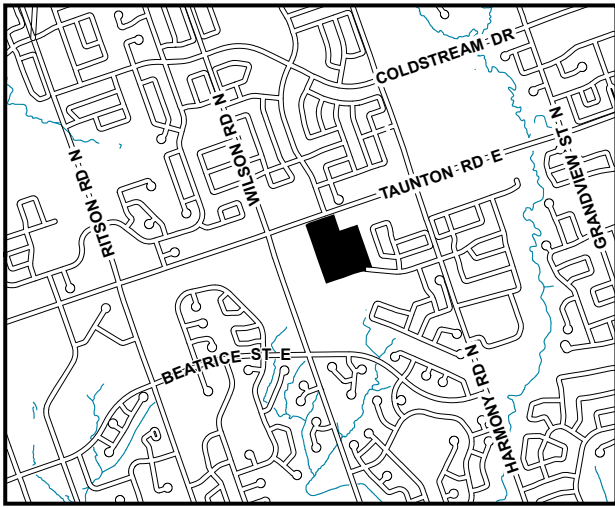
Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;

File: 2. Declaration of the Murton Street Road Allowance as Surplus OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019



Subject Site







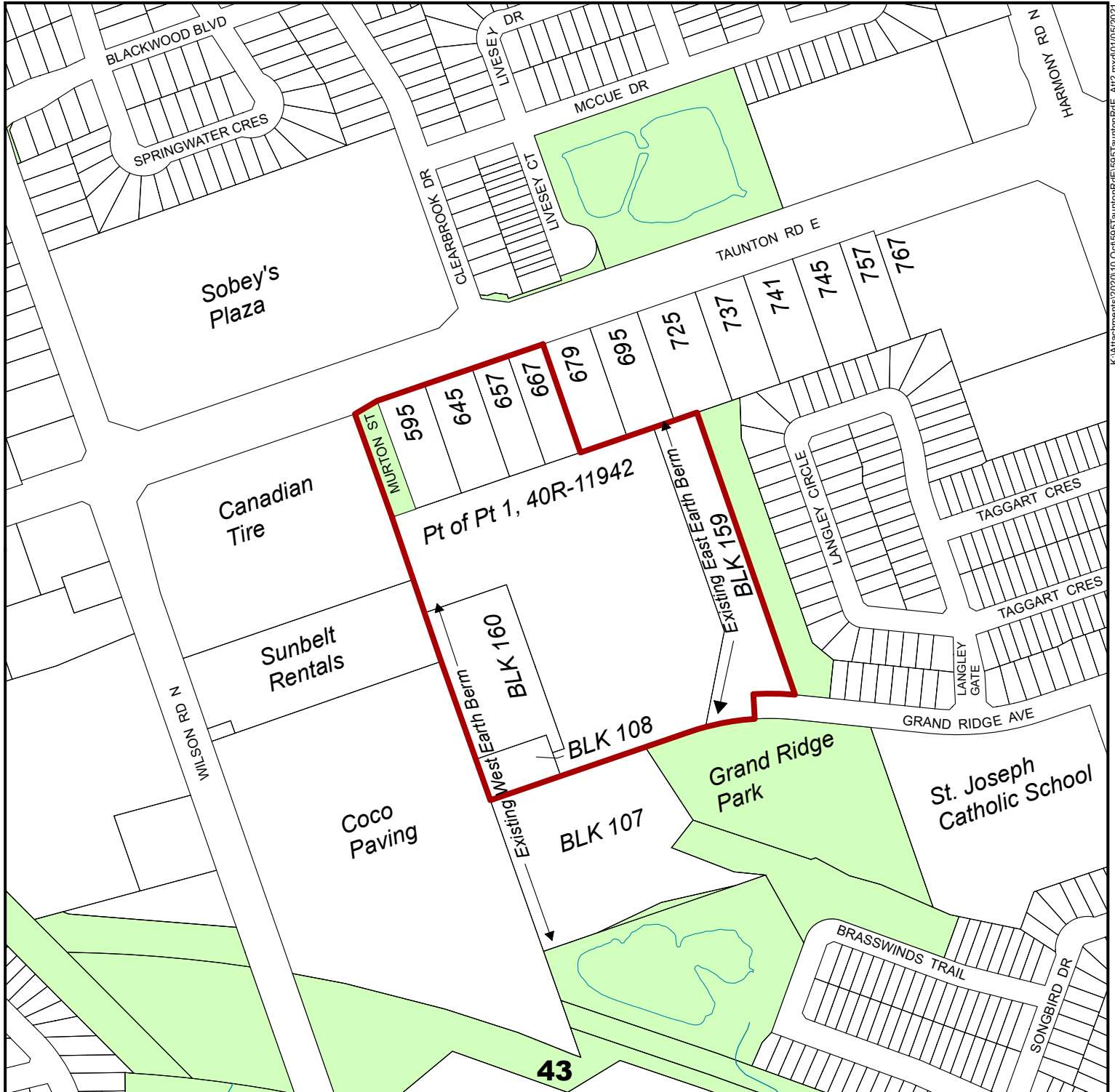
Development Services Department

**Item: DS-21-05
Attachment 2**

Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;

2. Declaration of the Murton Street Road Allowance as Surplus
File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019

 Subject Site
 City-owned Lands



Title: Original Proposed Site Plan for the Subject Site (2014)

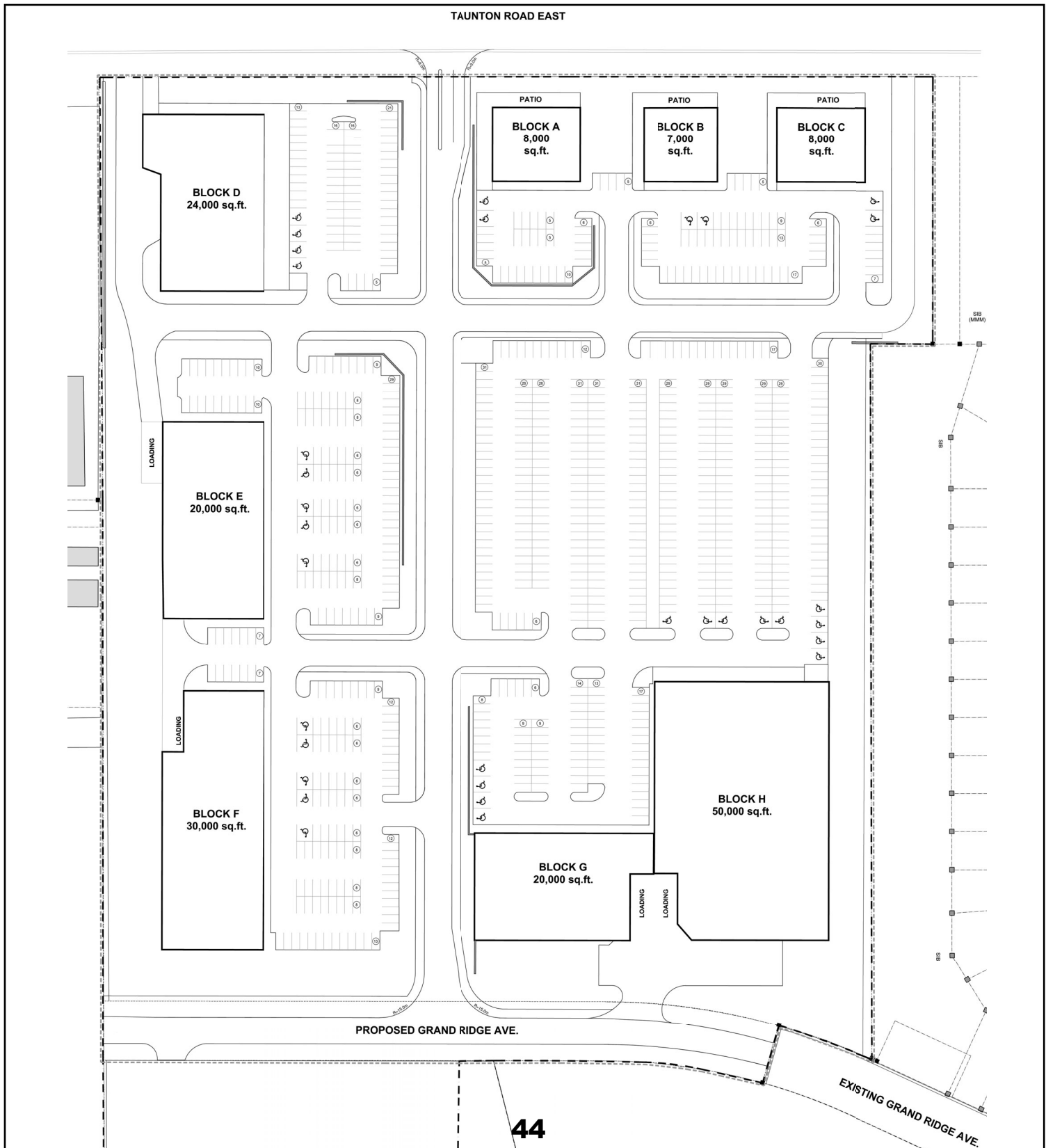
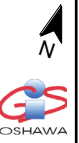
Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;

2. Declaration of the Murton Street Road Allowance as Surplus

File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019

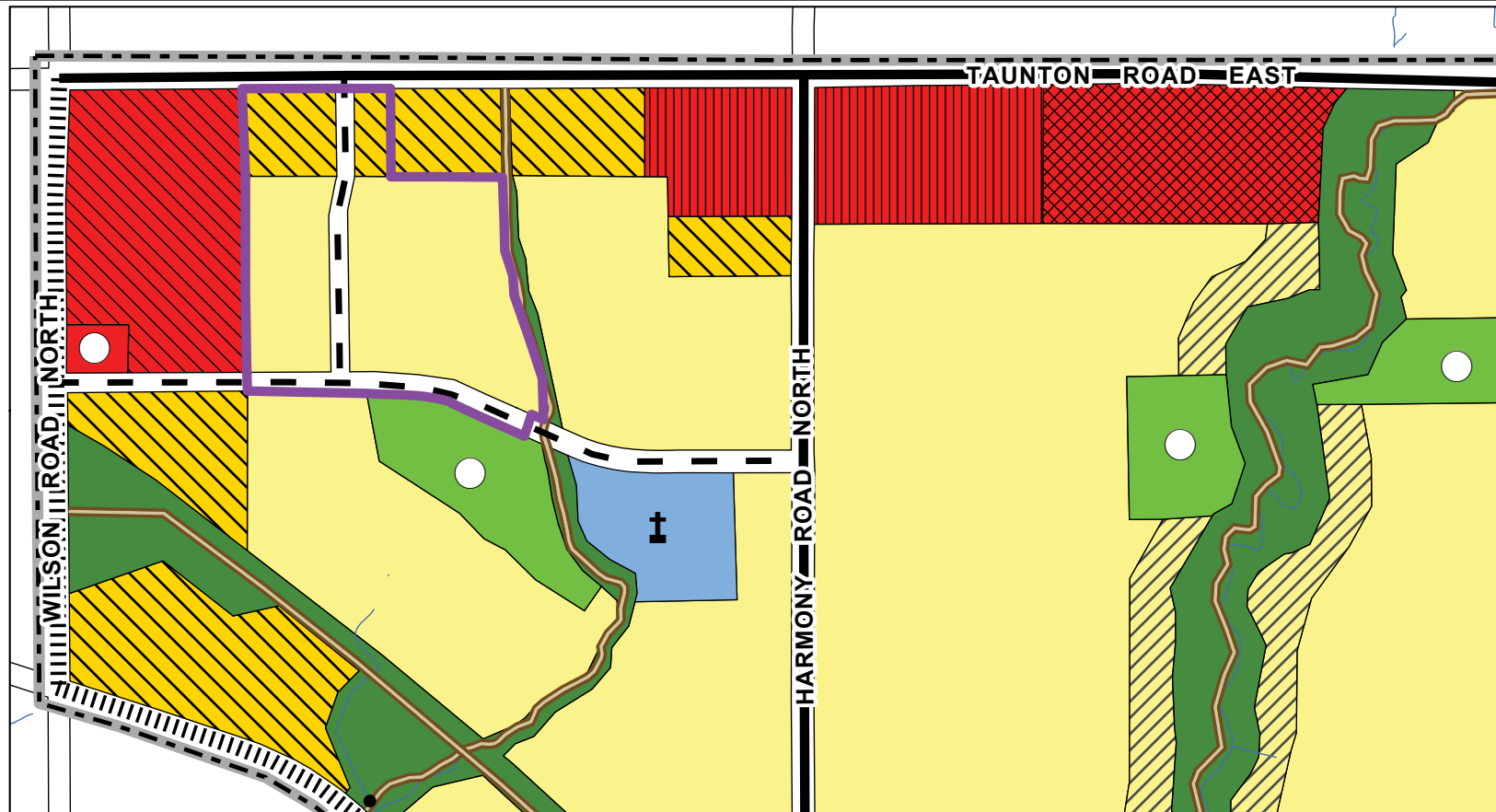
Item: DS-21-05
Attachment 3

City of Oshawa
Development Services Department



Title: Current Pinecrest Land Use and Road Plan
Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
2. Declaration of the Murton Street Road Allowance as Surplus
File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019

City of Oshawa
Development Services Department



Schedule 'A' Pinecrest Land Use and Road Plan

Part II Plan for the
Pinecrest Planning Area

Subject Site

0 25 50 100 150 Meters

January 2020

Development Services
Department

Legend

Residential

- Low Density Residential
- Medium Density I Residential
- High Density I Residential
- Large Lot Single Detached Dwellings
- Subject to Policy 8.4.6.12 in the Pinecrest Part II Plan

Open Space and Recreation

- Neighbourhood Park
- Open Space and Recreation

Commercial

- Convenience Commercial Centre
- Special Purpose Commercial
- Planned Commercial Strip
- Planned Commercial Centre

Community Use

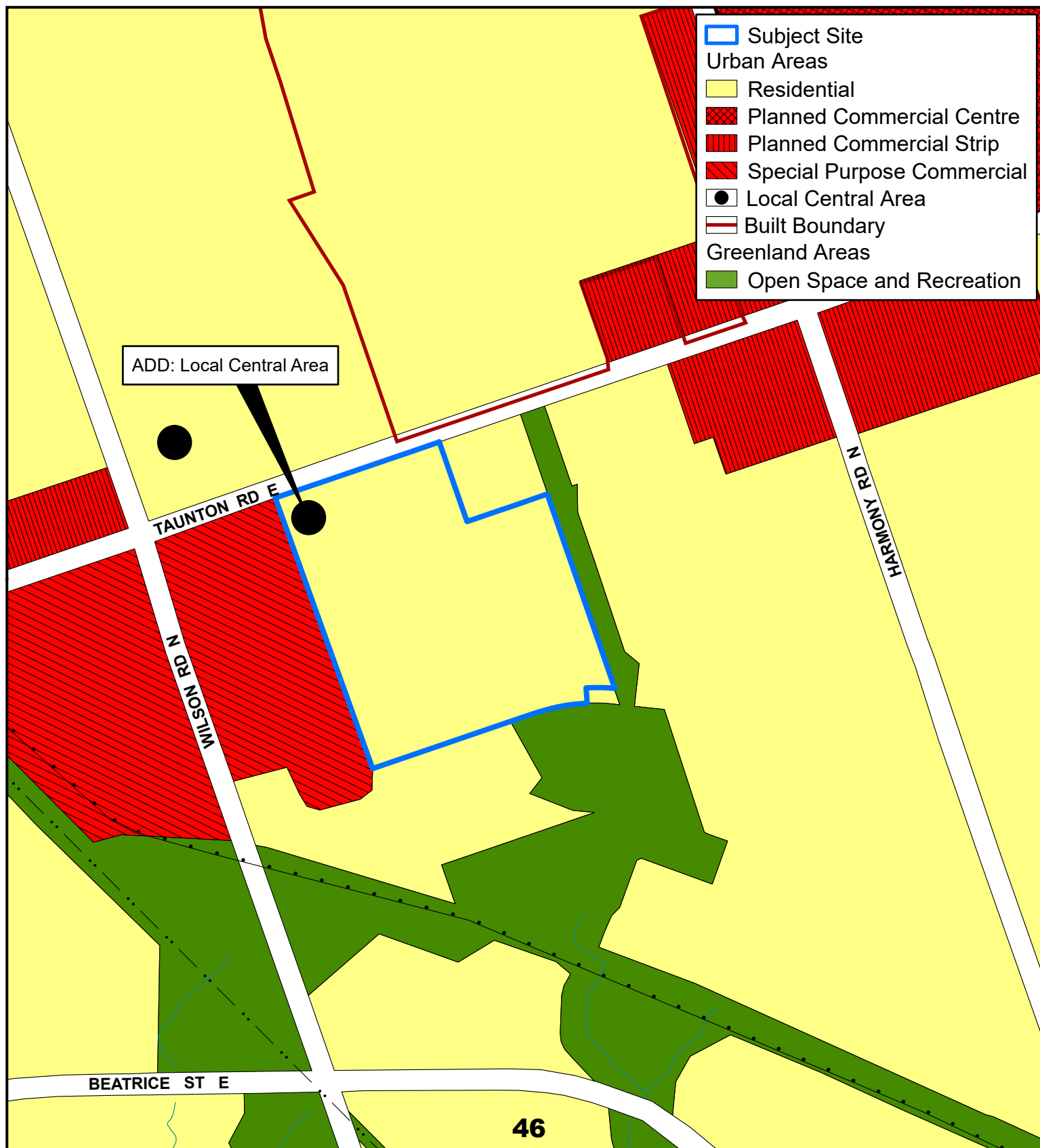
- Public Elementary School
- Separate Elementary School

45 Utilities

Transportation

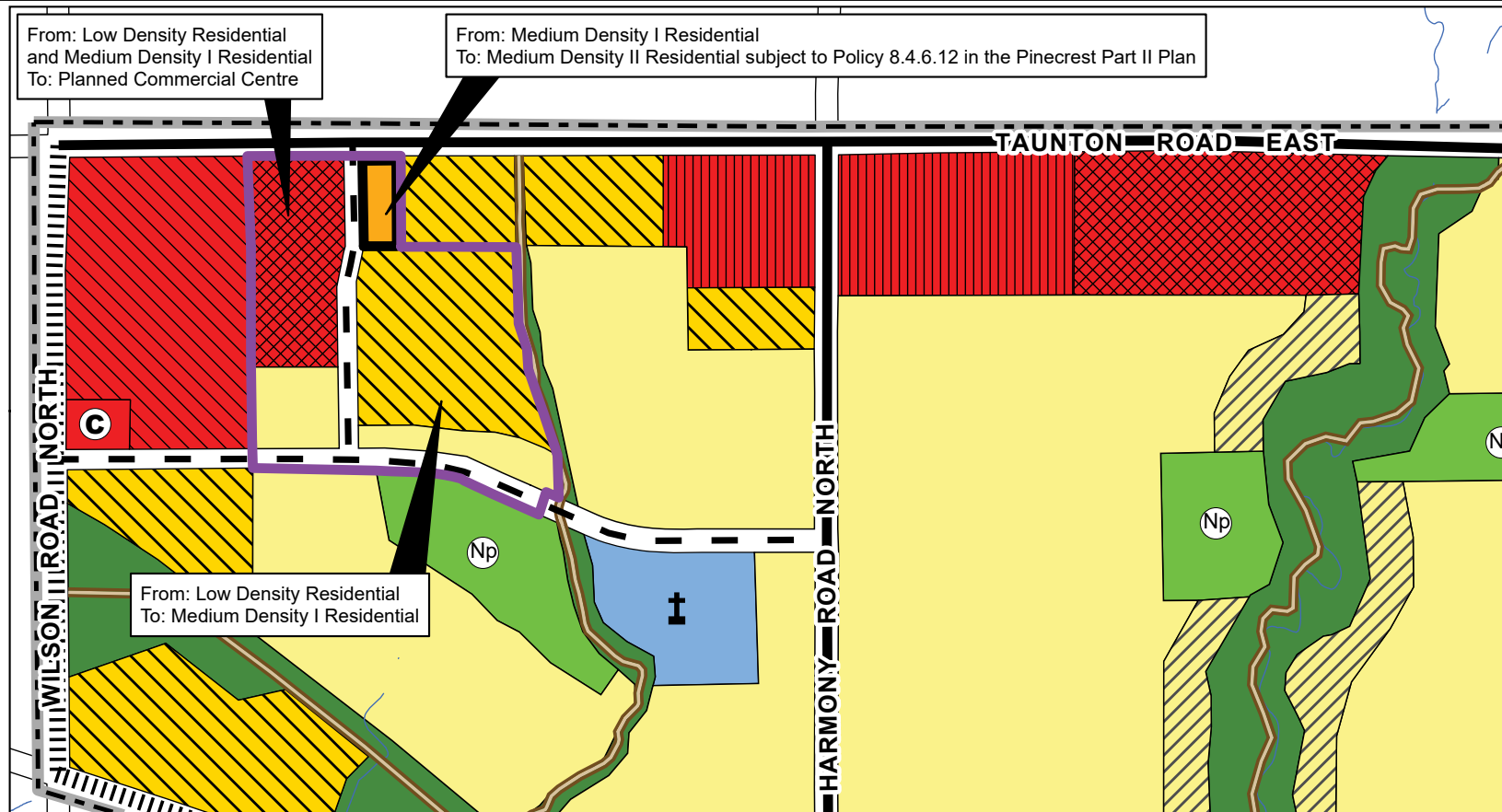
- Type A Arterial Road
- Type B Arterial Road
- Type C Arterial Road
- Collector Road
- Recreational Trail
- Pinecrest Planning Area Boundary
- Pedestrian Underpass
- Planned Development Area

Title: Proposed Amendments to the Oshawa Official Plan, Schedule 'A' Land Use **Item: DS-21-05**
 Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II **Attachment 5**
 Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
 2. Declaration of the Murton Street Road Allowance as Surplus
 File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019



Title: Proposed Amendments to the Pinecrest Land Use and Road Plan
 Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
 2. Declaration of the Murton Street Road Allowance as Surplus
 File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019

City of Oshawa
Development Services Department



Schedule 'A' **Pinecrest Land Use and Road Plan**

Part II Plan for the Pinecrest Planning Area

Subject Site

0 25 50 100 150 Meters

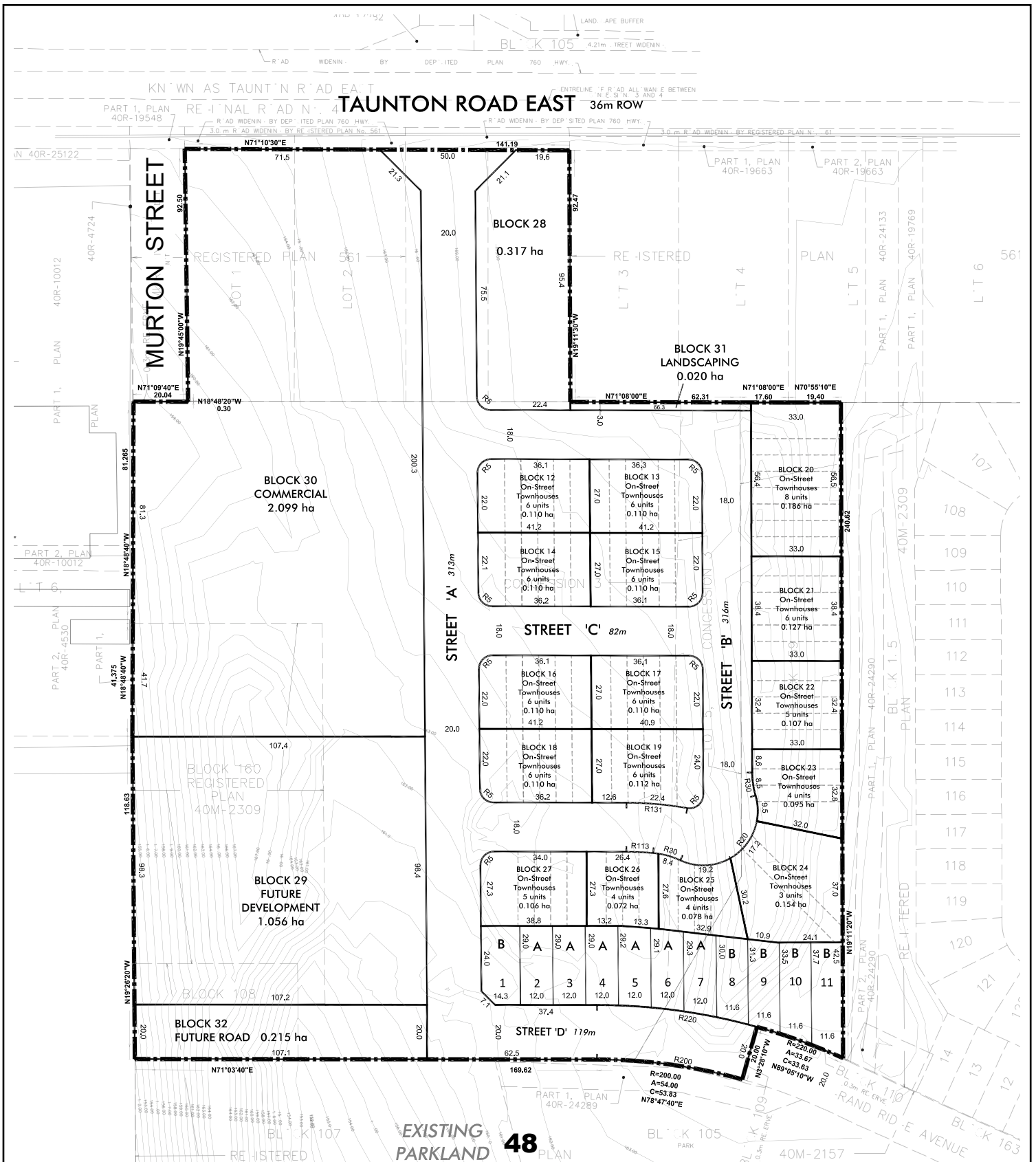
January 2018

Development Services
Department

Legend	Residential	Commercial	Transportation
	Low Density Residential	Convenience Commercial Centre	Type A Arterial Road
	Medium Density I Residential	Special Purpose Commercial	Type B Arterial Road
	High Density I Residential	Planned Commercial Strip	Type C Arterial Road
	Large Lot Single Detached Dwellings	Planned Commercial Centre	Collector Road
	Subject to Policy 8.4.6.12 in the Pinecrest Part II Plan	Community Use	Recreational Trail
	Open Space and Recreation	Public Elementary School	Pinecrest Planning Area Boundary
	Neighbourhood Park	Separate Elementary School	Pedestrian Underpass
	Open Space and Recreation	Utilities	Planned Development Area

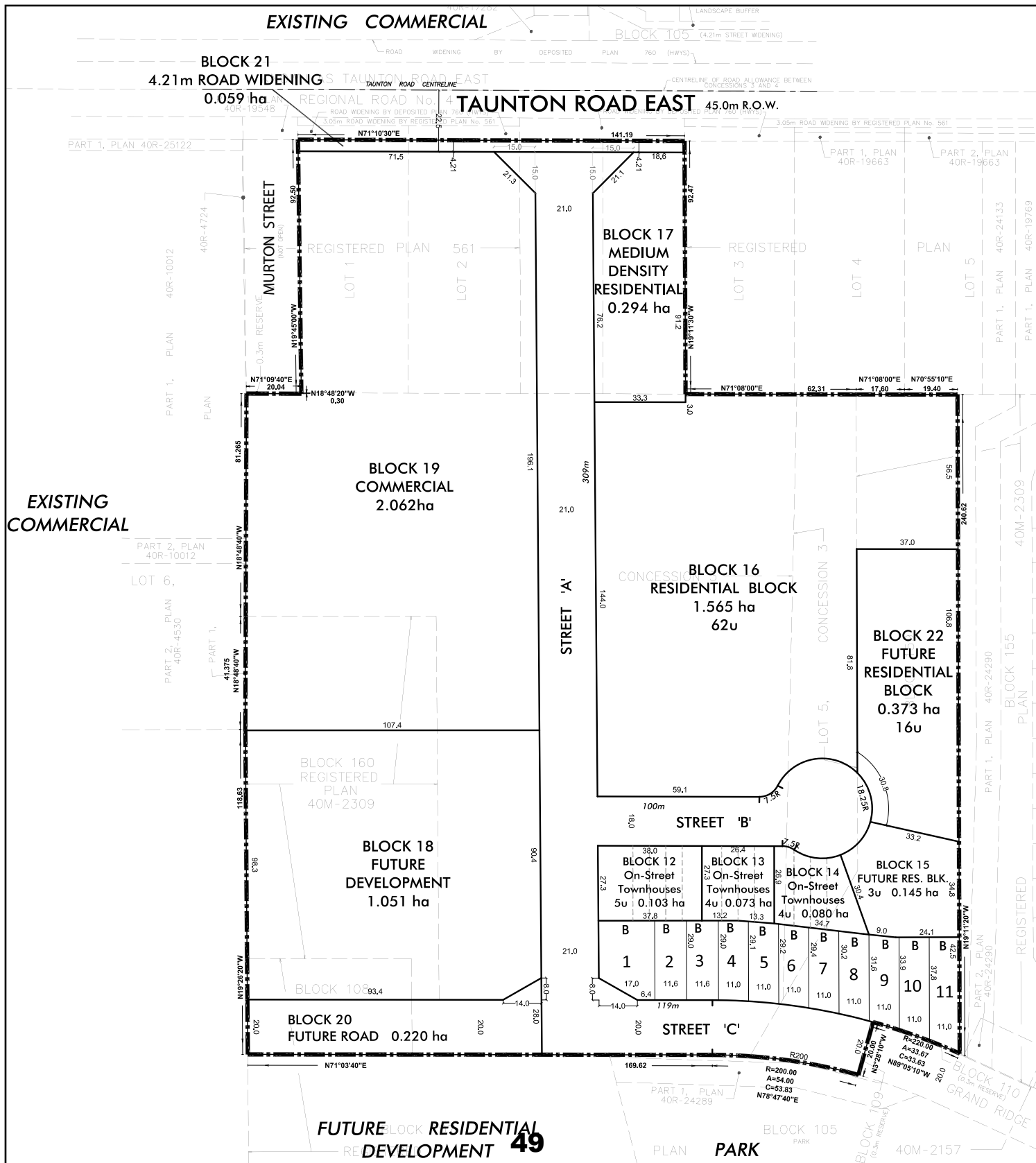
Item: DS-21-05
Attachment 7

City of Oshawa
Development Services Department



Item: DS-21-05
Attachment 8

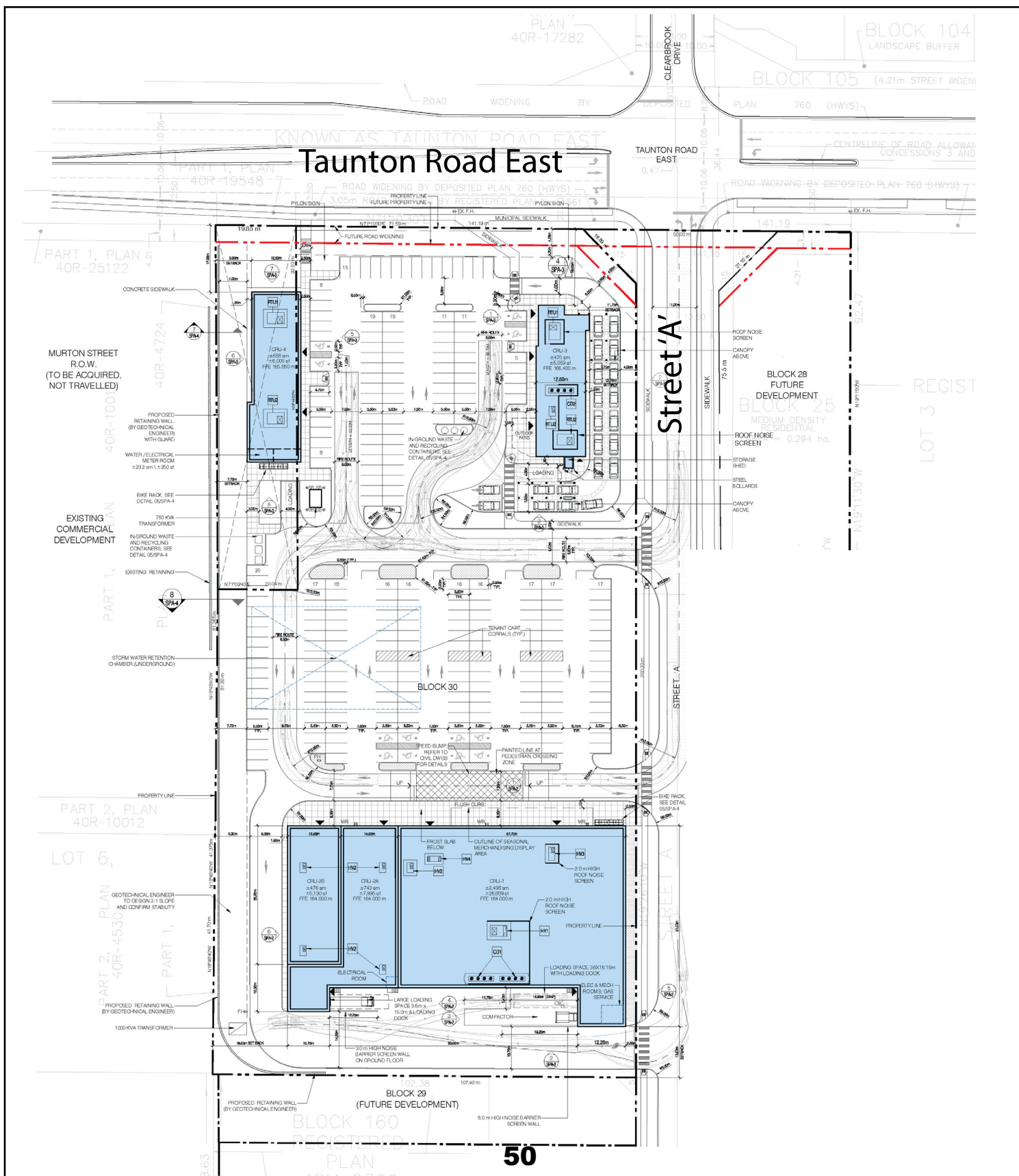
City of Oshawa
Development Services Department



Title: Revised Proposed Site Plan for Block 19 and Murton Street road allowance
 Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
 2. Declaration of the Murton Street Road Allowance as Surplus
 File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019

Item: DS-21-05
 Attachment 9

City of Oshawa
 Development Services Department



Title: Urban Design Concept from the Taunton-Harmony Corridor Study
 Subject: 1. Revised Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94, and for Approval of Draft Plan of Subdivision (S-O-2018-01) for 595-667 Taunton Road East, Unopened Murton Street Road Allowance and the lands to the south of 595-725 Taunton Road East, and for Amendments to the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.;
 2. Declaration of the Murton Street Road Allowance as Surplus
 File: OPA-2014-02, Z-2014-01, S-O-2018-01, 18T-95003-AA, 18T-92015-AA, D-4660-2102-2019




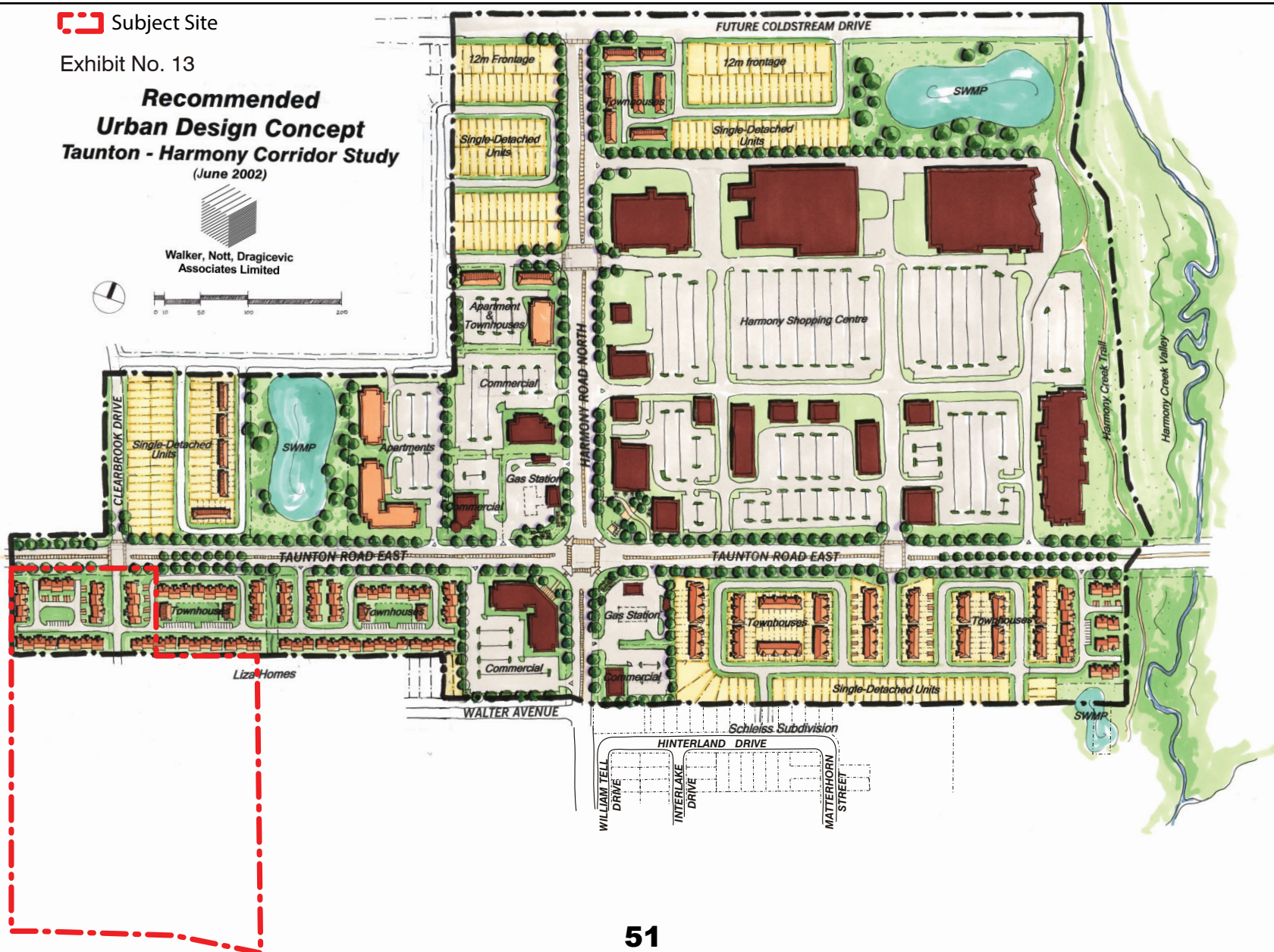
 Subject Site

Exhibit No. 13

**Recommended
Urban Design Concept
Taunton - Harmony Corridor Study
(June 2002)**


Walker, Nott, Dragicevic
Associates Limited



List of Permitted Uses in the PCC-D (Planned Commercial Centre) Zone requested by the Applicant for Block 19 and the Murton Street road allowance:

- (a) Adult secondary school*
- (b) Animal hospital
- (c) Apartment building*
- (d) Art gallery
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (g) Back-to-back townhouse*
- (h) Block townhouse*
- (i) Brew your own operation
- (j) Church*
- (k) Cinema
- (l) Club
- (m) Commercial recreation establishment
- (n) Commercial school*
- (o) Craft Brewery
- (p) Day care centre*
- (q) Financial institution
- (r) Flat*
- (s) Funeral home*
- (t) Hotel*
- (u) Long Term Care Facility*
- (v) Merchandise service shop
- (w) Museum*
- (x) Nursing home*
- (y) Office
- (z) Peddle
- (aa) Personal service establishment
- (bb) Printing establishment
- (cc) Private school*
- (dd) Restaurant
- (ee) Retail store
- (ff) Retirement home*
- (gg) Studio
- (hh) Tavern
- (ii) Theatre

Note: Uses demarcated with an asterisk (“*”) are uses that would not be permitted on Block 19 and the Murton Street road allowance while the nearby asphalt plant is operational.

Whitby Meadows Inc.

30 Wertheim CT, Unit 9
Richmond Hill, Ontario
L4B 1B9

January 15, 2020

The Corporation of the City of Oshawa
Department of Development Services
50 Centre Street
Oshawa, ON L1H 3Z7

Attention: Mr. David Sappleton

**Re: Environmental Noise Assessment - Class Area Confirmation Oshawa
Horizons, Phase 4
Proposed Townhouse Development Taunton Road East and Wilson
Road North Part of Lots 5 and 6, Concession 3
City of Oshawa
Project No. 1637B**

As per the Ministry of Environment's requirement, this letter has been prepared to request an Area Classification confirmation from the City of Oshawa in order to determine the appropriate Sound Level Limits for the Oshawa Horizons (Phase 4) development located south of Taunton Road and approximately 320m east of Wilson Road. The proposed residential development is to be located east of the existing industry (Coco Paving) and existing commercial developments along Taunton Road and Wilson Road.

As described in the latest MOE Publication NPC-300 (Noise Guidelines) dated August 2013 and in review of the proposed residential development, it has come to our attention that the area may be considered as a Class 4 Area due to the location of the proposed development, area in transition and the nature of the industry.

A Class 4 Area as per the MOE definition means:

" An area or specific site that would otherwise be defined as Class 1 or 2 which is an area intended for development with new noise sensitive land uses (s) that are not yet built; is in proximity to existing, lawfully established stationary source(s); and has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process. "

The area classification determines the sound level limits for the noise sensitive land uses. The following Tables 8-1 and B-2 from Publication NPC-300 list the sound level limits for the Outdoor Points of Reception (Outdoor Living Areas) and Plane of Window (building facades).

Table B-1
Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq dBA)
Outdoor Points of Reception

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00-19:00	50	50	45	55
19:00-23:00	50	45	40	55

Table B-2
Exclusion Limit Values of One-Hour Equivalent Sound Level (Leq dBA)
Plane of Window of Noise Sensitive Spaces

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00-19:00	50	50	45	60
19:00-23:00	50	45	40	60
23:00-07:00	45	45	40	55

Therefore, we are requesting a formal confirmation from the City of Oshawa in regards to the Area Classification for the proposed residential development (Oshawa Horizons, Phase 4) located south of Taunton Road and approximately 320m east of Wilson Road.

Should you have any questions regarding its contents, please contact the undersigned.

Yours truly,

Colin McLachlin
Manager

**City of Oshawa Conditions of Approval for Draft Plan of Subdivision S-O-2018-01
(Last date of revision October 26, 2020 by Whitby Meadows Inc.)**

A. General

1. That the final 40M plan for registration shall show the following:
 - (a) All street townhouses shall have a minimum front lot line length of six (6) metres.
 - (b) 8m by 14m corner sight triangles at the northwest corner and northeast corner of the intersection of Street 'A' and Street 'C', in accordance with City standards. Parts of Lot 1 and Block 18 shall be provided where and as necessary.
 - (c) The corner of Blocks 12 and 16 at the intersection of Street 'A' and Street 'B' shall be designed in accordance with City standards.
 - (d) The portion of Street 'A' between Street 'B' and Street 'C' shall be shown as a block to be conveyed to the City at no cost.
 - (e) Some reconfiguration of lots or blocks may be required if final engineering for the lot grading and servicing design impacts building envelopes or it is determined there is a need for rear yard catch basins.
2. That the subdivider enter into a subdivision agreement with the City to ensure the fulfillment of the City's requirements, financially or otherwise.
3. That the subdivider hereby acknowledges that the current City funding practices may change prior to plan registration or development and that the timing of the registration shall be at the City's discretion based on the City's financial ability to fund projects.
4. That any approvals which are required from the Region of Durham, Ministry of the Environment, Conservation and Parks (M.E.C.P.), Ministry of Natural Resources and Forestry (M.N.R.F.), Central Lake Ontario Conservation Authority, Enbridge, Oshawa Power and Utilities Corporation, Bell Canada, Rogers Communications Inc., Canada Post, and any other regulatory authority for the development of this plan be obtained by the subdivider and written confirmation be provided to Engineering Services.
5. That a draft of the final 40M plan for registration be submitted to Planning Services for review and comment by all agencies and departments.
6. That a draft of the 40R Plans related to engineering matters shall be submitted to Engineering Services with the engineering submission for review and comment.
7. That the subdivider shall implement all requirements of the Environmental Impact Study, Environmental Noise Assessment, and D-6 Compatibility – Air Quality Assessment.

8. That the subdivider shall pay for a peer review of any study, report or guideline, if/as required by the City or the Region.

B. Engineering Plans/Drawings Required

9. That engineering drawings, including Traffic Management Plans, be prepared in accordance with City policies and requirements. Prior to the preparation of the subdivision agreement, the plans and drawings are to be submitted to and approved by Engineering Services. The engineering drawings shall include Utility Co-ordination Plans which illustrate and establish the final design and location of all above-ground and below-ground utility plant and structures that service the plan. Further that the landscape plans, streetscape/architectural control guidelines and urban design guidelines shall be coordinated with engineering drawings and further that the engineering plans shall co-ordinate the driveways, street utility hardware and street trees in order to ensure that conflicts do not exist and street trees are accommodated.
10. In the event that the subdivision agreement is not executed within one (1) calendar year from the date of approval of the engineering drawings, they shall be resubmitted to Engineering Services for approval again prior to execution of the subdivision agreement.

C. Servicing

11. That the subdivider acknowledges that authority to provide any subdivision pre-servicing approval, prior to execution of a subdivision agreement, is delegated to the Director of Engineering Services. Pre-servicing, in accordance with the City's design guidelines and standards, will only be considered where it is not possible to execute and register the subdivision agreement in the time frame required to commence servicing for approved engineered services that has otherwise been found to be acceptable with confirmation from all agencies and authorities involved in the conditions set out in the conditions of draft plan approval.
12. That the subdivider arrange for, and pay the cost of all services required to service the plan, in accordance with the City policies and requirements.
13. That satisfactory arrangements be made for financing the City's share of servicing before the final plan is released for registration.
14. That the cost of any relocation, extension, alteration, damage rehabilitation or extraordinary maintenance of existing services necessitated by this development shall be the responsibility of the subdivider.
15. That the subdivider pay the full cost of the City's services within this plan, including those that may be sized to accommodate the servicing requirements of privately owned property outside the limits of this plan. In addition, any payment received from the subdivider for the services covered by the City's Development Charge By-law, for which this subdivider has paid shall be used to reimburse this subdivider for such services to the extent of this subdivider's cost provided a front-ending agreement is executed in accordance with the requirements of the Development Charges Act.
16. That the cost of any City services outside of the plan necessitated by this development to be installed, extended, relocated or altered to provide services

across or through adjacent privately owned lands to service this plan shall be the responsibility of the subdivider. Furthermore it is the sole responsibility of the subdivider to negotiate with the adjacent land owner(s) and secure appropriate easement(s) and/or lands required, and convey the same to the City at no cost and in a physical and environmental condition acceptable to Engineering Services.

D. Stormwater

17. That this development comply with City policies and by-laws with respect to stormwater management.
18. That a final storm drainage scheme for the lands within and abutting this plan be submitted to Engineering Services for approval prior to preparation of the engineering drawings for this subdivision. The engineering design for this plan shall generally follow the storm drainage scheme as described in the submitted Functional Site Servicing Plans and Functional Servicing and Stormwater Management Reports, prepared by Cole Engineering Group Ltd., dated August 2020.
19. That the subdivider provide a stormwater management facility maintenance fee satisfactory to Engineering Services for the long term maintenance and rehabilitation cost of the stormwater management facility in Registered Plan of Subdivision 40M-2065 to the south that will service this plan.
20. That the subdivider provide cash-in-lieu of downstream erosion control storage for Commercial Block 19 in an amount satisfactory to the Commissioner of Development Services.
21. That the land within the draft plan not be unreasonably graded, filled or stripped except in compliance with the City's Site Alteration By-law 85-2006 or in advance of building activity, so as to cause dust and increased stormwater runoff from the lands resulting in erosion and silting of roads, services, valley lands, creeks and privately owned property.

E. Road Design & Details

22. That the subdivider acknowledges and accepts that the proposed built form of Street Townhouses on Street 'B' results in the number of on-street parking spaces able to be provided to be constrained. Accordingly, the subdivider shall provide an on-street parking plan reflecting an on-street parking space dimension satisfactory to Engineering Services, taking into account the need for driveway sight triangles (as outlined in the Traffic By-law) sized to the satisfaction of Engineering Services and Community Services, for review and approval by Engineering Services and Community Services. The subdivider acknowledges and agrees that the final plan for registration may be revised, or the lot/block structure altered, or that road and/or pavement widths be increased to accommodate sufficient on-street parking.
23. That all streets and cul-de-sacs, including dedicated corner sight triangles and pavement elbows, be designed to City standards.
24. That the final plan for registration be revised to incorporate the City's minimum road geometric design criteria. The subdivider shall reduce the number of residential building lots or reconfigure some of the lot structure as determined necessary to meet the geometric design criteria.

25. That the final plan for registration and the engineering drawings show the following:
 - (a) The portion of Street 'A' between Street 'B' and Street 'C' as a block with a temporary emergency access between Street 'A' and Street 'C'; and,
 - (b) Street 'C' terminated as a temporary cul-de-sac east of Block 20.
26. That the subdivider provide a fixed payment through the subdivision agreement for the subdivider's share of the future construction of the extension of Street 'A' between Street 'B' and Street 'C'. This fixed payment shall be provided to the future subdivider as a contribution to the construction cost of the extension of Street 'A' between Street 'B' and Street 'C'.
27. That the future construction of Street 'C' west of Street 'A' shall include the construction of the extension of Street 'A' to a Collector Road standard between Street 'B' and Street 'C', at the developer's expense, less the fixed payment in Condition 26.
28. The future design and construction of Street 'C' west of Street 'A' shall be to a Collector Road standard, to the satisfaction of Engineering Services, and conveyed as public highway to the City at no cost to the City.
29. That the subdivider ensure that all streets properly align with existing and proposed development outside the limits of and abutting this plan. In this regard, the subdivider shall provide written verification to Engineering Services as part of the draft 40M Plan submission, from an Ontario Land Surveyor that the alignment of all streets and their extension outside the limits of this plan will meet the design requirements of the City.
30. That reserves, as may be required by Engineering Services in each phase, be shown on draft 40M plans and conveyed to the City.
31. That a reserve be provided along the frontage of Blocks 18 and 20 to restrict driveway access to Blocks 18 and 20 be shown on draft 40M plans and conveyed to the City.
32. That any reserves which are required to be dedicated as public highway with the registration of this plan, shall be included in draft of the final 40M plan of subdivision for dedication as public highway or alternatively a by-law shall be prepared for the purpose of dedicating the existing reserve as public highway.
33. That the City close, convey or dedicate any reserves, road allowances or road widenings necessitated by the development of this plan or any road allowance abutting this plan, provided the subdivider has met all of the requirements of the City, financially or otherwise, subject to the determination of the Commissioner of Development Services, in this sole discretion.
34. That the subdivider acknowledge that current City policy provides consideration of a reduced road allowance width of eighteen (18) metres provided the road in question services less than 100 units and that the Commissioner of Development Services shall require the minimum standard 20 metre road allowance width if it is determined that the construction and/or maintenance of the public services within the road allowance is not financially or otherwise feasible.

35. That the subdivider is required to pay the full cost of the temporary termination of any street (in the form of a cul-de-sac) to the satisfaction of Engineering Services, and further, that the subdivider acknowledges that the method of termination may restrict the availability of building permits for any lot/block that would be affected by such temporary termination.
36. That the subdivider pay for all traffic management features along Street 'A' and Street 'C' and existing Grand Ridge Avenue as may be determined necessary by the City during the review of the engineering submission for this development. These features will be designed and constructed to the satisfaction of Engineering Services.
37. That all streets shall be named to the satisfaction of Planning Services.
38. The subdivider shall construct all required bike routes on Streets 'A' and 'C' and a multi-use path on Street 'A' within the road allowance and the temporary emergency access route to the satisfaction of Engineering Services and at no cost to the City.
39. The subdivision agreement shall require warning clauses for purchasers advising of the planned future extensions of Street 'A' and Street 'C'. The subdivision agreement will also require signage to advise the public of the future extension of Grand Ridge Avenue to Wilson Road North and the future connection of Grand Ridge Avenue to Street 'A'.

F. Studies/Reports/Guidelines Required

Stormwater Report/Functional Servicing Report

40. The subdivider is required to submit to Engineering Services a detailed stormwater management report/functional servicing report, prepared by a water resource engineer, that must address, but is not limited to, the following issues:
 - (a) Major and minor flow routes, their conveyance capacity, including cross-sectional details of roads;
 - (b) Erosion and sediment controls;
 - (c) Foundation drain discharge points and flow rates;
 - (d) Infiltration potential of the lands using Low Impact Development (L.I.D.) Technologies; and,
 - (e) Water ponding depth within the roadways.

Furthermore, the subdivider is required to implement and bear the cost of all the necessary stormwater features/works recommended in the said report.

Hydrogeological

41. That the subdivider shall submit a Hydrogeological Assessment report to Engineering Services, completed by a licensed hydrogeological engineer, that may be included in a Soils/Geotechnical Report that addresses, but not be limited to, the following issues:
 - (a) The sizing of the Foundation Drain Collector System (F.D.C.);

- (b) Opportunities to apply low impact development technology within the draft plan;
 - (c) Any potential for formation of calcium carbonate buildup in the foundation drains and service connections within this draft plan and provide appropriate remedial measures;
 - (d) The ability to minimize the extent of building footing drains below the seasonal high groundwater table by means of changing the overall design of this development;
 - (e) Opportunities to avoid having saturated backyards and/or ponding water situations; and,
 - (f) The subdivider acknowledges that they will provide all necessary mitigation measures as it relates to ground water seepage at the detailed engineering design stage to ensure that the basements will not be negatively affected by the groundwater seepage.
42. The subdivider is required to implement and bear the cost of all the necessary low impact development measures/works recommended in the Hydrogeological Assessment report and submit a Maintenance/Operating Manual for the low impact development measures.

Soils/Geotechnical

43. That the subdivider complete a soils/geotechnical report and the recommendations of said report shall be implemented as appropriate with the subdivision agreement including those related to municipal services and road structure, and any requirement that development on engineered fill be certified by a licensed geotechnical engineer. This report shall be submitted to Engineering Services for review and acceptance in conjunction with the first engineering submission, together with soils profiles plotted on a separate set of the engineered construction drawings. The report must also include an orientation map illustrating the lots affected by any proposed engineered fill recommendations.

Soil Management

44. That the subdivider complete a soil management report for implementation by a licensed geotechnical engineer. This report shall be submitted to Engineering Services for review and acceptance in conjunction with the Site Alteration Permit.

Record of Site Condition

45. The subdivider agrees to retain a licensed geo-environmental engineer to verify, to the satisfaction of the City and the Region of Durham, that the site has been made suitable for the proposed uses. A Record of Site Condition (R.S.C.) acknowledged by the M.E.C.P. shall be required to be submitted to Planning Services prior to final approval, any site disturbance and/or registration, if required by the Region of Durham's Site Contamination Protocol.

Traffic Management

46. The subdivider shall retain a licensed traffic engineer to complete a traffic management report which details any required feature for design, operation and construction of Streets 'A' and 'C' and the existing Grand Ridge Avenue and that the report be submitted to Engineering Services for review and acceptance as part of the engineering plans package. The traffic management measure shall be implemented to Engineering Services' satisfaction at the subdivider's cost.
47. With the first submission of detailed engineering for this subdivision, the subdivider shall prepare a Transportation Demand Management (T.D.M.) plan for review and approval by the City of Oshawa that outlines strategies for the subject area to improve available transportation options, reduce auto dependence and increase the mode share of non-auto modes. A review of and recommendation for proposed traffic calming measures is required as part of the T.D.M. plan. The subdivider shall be responsible for the costs of all traffic management and calming measures/features required by the City.
48. The subdivider shall retain a licensed traffic engineer to complete an updated traffic impact study for the plan of subdivision to the satisfaction of the City and the Region of Durham with recommendations that are addressed within a subdivision agreement prior to registration of the plan.

Noise

49. That prior to the preparation of the subdivision agreement and as part of the first engineering submission the subdivider agrees to retain a licensed acoustical engineer to complete and submit to Planning Services for review and acceptance a noise impact study which addresses the impact of noise generated from road traffic, and/or the surrounding land uses and is based on the detailed grading of the site to the satisfaction of Planning Services. Further, the subdivider shall implement the recommendations for noise controls at no cost to the City, confirm that the implemented noise mitigation features(s) is/are in compliance with the M.E.C.P. standards and provide the necessary warning clauses.
50. That the subdivider acknowledges that noise impact studies for Blocks 16, 17 and 19 shall be provided at the time of future applications for site plan approval for these blocks.

Streetscape/Architectural Control Guidelines

51. That prior to offering any model/property for sale, the subdivider shall engage a control architect, satisfactory to Planning Services. This control architect will complete and submit to Planning Services for review and acceptance streetscape/architectural control guidelines which are satisfactory to Planning Services, approve all models offered for sale and certify that all building permits plans comply with the City approved guidelines.

Air Quality

52. The subdivider shall implement the measures for air quality controls recommended by the Air Quality Assessment prepared by EXP Services Inc. dated August 26, 2020 at no cost to the City and provide the necessary warning clauses. The subdivider

shall retain an air quality engineer or environmental scientist to confirm that the implemented air quality measures are in compliance with the Air Quality Assessment and M.E.C.P. standards.

Tree Inventory and Assessment

53. That prior to issuance of a site alteration permit, the subdivider shall engage a certified arborist to complete a tree inventory and assessment to the satisfaction of Parks Services and Planning Services. The tree inventory and assessment shall be submitted to Planning Services.

Archaeological Study

54. That prior to issuance of a site alteration permit or any other soil disturbance, the subdivider shall undertake an archaeological study by a licensed archaeologist to be reviewed by the Ministry of Heritage, Sport, Tourism and Culture Industries, and entered into the Ontario Public Register of Archaeological Reports and correspondence documenting this review and acceptance to be submitted to Planning Services.

G. Phasing

55. That this subdivision be registered in one phase.

H. Street Lighting

56. That the subdivider implement the same decorative street lighting standard used on the adjacent lands to the east (within adjacent Registered Plan 40M-2309) and further agrees to pay for any additional costs associated with the street lighting upgrades.

I. Utility Easement & Blocks

57. That the City grant any easements required for utilities, stormwater management and servicing on City-owned lands necessitated by the development of the plan and relinquish any redundant easements, provided the subdivider has met all the requirements of the City, financially or otherwise.
58. That the subdivider grant free of charge any easements or blocks required for servicing and the conveyance of overland flows. Easements shall be in a location and of a width as determined by Engineering Services and/or the Region of Durham and be granted upon request at any time after draft approval of the plan.
59. That the final plan for registration include and accommodate Block(s) and easement(s) required to facilitate the installation of any utility services which cannot be accommodated in any City right-of-way to the satisfaction of Engineering Services.

J. Private Wells and Septic Systems

60. That the subdivider provide property owners with private well systems in the area surrounding the Draft Plan with a copy of the Region of Durham Well Interference Policy.

K. Driveways

61. That the location of all driveways maintain a minimum one (1) metre clearance from all above ground utility structures or other like apparatus where practical to the satisfaction of Engineering Services.
62. That a plan showing the proposed siting of the buildings on lots fronting on a road that does not have a City sidewalk planned for that side of the road which indicate the length of the driveway leading to a private garage, which is to be fitted with roll-up type door, and which has a minimum length of seven (7) metres from the street line to the garage, be submitted to the satisfaction of Engineering Services.
63. That the subdivider provide roll-up type garage doors where the front yard setback to the garage is seven (7) metres or less.

L. Oshawa Executive Airport

64. That the subdivision agreement include a warning clause to all potential residents in the plan, through the agreement of purchase, sale or lease, that the dwelling unit is located in proximity to the Oshawa Executive Airport and its corresponding aircraft traffic.

M. Landscaping

65. Landscape plans shall be submitted to Planning Services no later than the second submission of engineering plans (detail design).
66. That this development comply with the City's Landscaping Design Policies and requirements. Without limiting the generality of the foregoing, the subdivider shall prepare and coordinate the landscape plans with the engineering drawings to the satisfaction of Planning Services and Engineering Services. The following shall be submitted to Planning Services:
 - (a) The landscape submission shall include, but is not limited to:
 - (i) Preservation/protection of existing site features and vegetation;
 - (ii) Street tree planting; and,
 - (iii) Fencing.
 - (b) A statement from a Landscape Architect shall certify that the measures employed to promote the preservation of existing site features and vegetation are appropriate.
67. That the subdivider undertake to the satisfaction of Planning Services and Engineering Services and at no cost to the City:
 - (a) The installation of fencing of Block 155, Plan 40M-2309 where adjacent to lots/blocks in this draft plan; and,
 - (b) The installation of street trees, in accordance with the City standards and requirements.
68. That the subdivider provide a fixed payment through the subdivision agreement (10% of the estimated cost of the construction item) to provide for the long term

maintenance and rehabilitation of items such as entrance features, walls and enhancements to fences, which exceed City standards and which are requested by either the subdivider or the City.

69. That the subdivider deposit with the City a public lands damage deposit and monetary security in amounts to be specified in the subdivision agreement as determined by Planning Services. This shall ensure that the public lands are not damaged and that certain site improvements, landscaping, fencing and vegetation preservation, in accordance with the approved conditions and plans, are carried out.

N. Parkland

70. That the subdivider pay the City an appropriate amount of cash-in-lieu of parkland to satisfy the parkland dedication requirement of the Planning act during the building permit process for each Lot and Block.

O. Endangered/Threatened Species

71. That the subdivider carry out all required measures and works required by the M.N.R.F. with regard to the Species at Risk (S.A.R.) (Endangered Species Act, 2007) known to inhabit the property. No demolition or disturbance of habitat in accordance with M.N.R.F. requirements shall commence prior to a copy of a clearance letter from the M.N.R.F. being received by Planning Services.

P. Official Plan

72. That the Oshawa Official Plan and Pinecrest Part II Plan be appropriately amended in order to implement the draft plan.

Q. Zoning

73. That the Zoning By-law be appropriately amended in order to implement the draft plan.

R. Construction Access

74. That heavy construction access and haul route be approved by Engineering Services.

S. Earth Berms

75. The subdivider shall maintain the existing and required berms, as applicable, in accordance with the Environmental Noise Assessment and any follow-up assessments.

Excerpts from the Minutes of the Development Services Committee Meeting held on September 8, 2014

Presentation

Anne McIlroy, Brook McIlroy presented an overview of the applications to amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 for 575-725 Taunton Road East and lands to the south of 575-725 Taunton Road East and the unopened Murton Street Road Allowance submitted by Whitby Meadows Inc., stating the proposed development plan consists of 250,000 sq./ft. of retail commercial with 50,000 sq./ft. of anchor retail use (ex. grocery store), a well landscaped parking lot and a buffer between the east residential neighbourhood with a multi-use trail.

The Committee questioned Anne McIlroy.

Delegations

The Chair asked if any members of the public wanted to address the Committee concerning the applications.

Erik Morke addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc. and requested to see a copy of the traffic and noise study.

The Committee questioned the applicant's representatives.

Victor Donskey address the Committee in opposition to the applications submitted by Whitby Meadows Inc., expressing concern regarding the proposed entrance and exit points, traffic congestion, the timing of the proposed development and that the development is unwarranted as there is vacant commercial space in the vicinity.

The Committee questioned the applicant's representatives.

Judy Melland-Smith addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc., expressing concern regarding traffic congestion, commercial trucks travelling in a residential area, and the potential smell of garbage. The delegate requested that if the proposal proceeds, there is a dedicated truck entrance into the plaza and that "Block H" not be a grocery store.

Bruce Hagen addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc., stating he's been a resident of the area for 25 years and requesting that if the proposal proceeds that a traffic signal be installed on Clearbrook Drive.

John Marchment and Cory Fawcett addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc., expressing concern regarding the size of the development, traffic congestion, pedestrian safety, noise pollution, the impact to the environment, hazardous materials storage, and potential devaluation of property. The

delegates stated that residents purchased their homes with the understanding that the property would remain zoned as “residential” and requested to see the market study.

The Committee questioned the applicant’s representatives.

Mike Martin addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc., expressing concern about the amount of retail in the area and stating that he was never asked his opinion as part of a survey, noting he doesn’t want to see a vacant plaza in the future.

The Committee questioned the Commissioner, Development Services.

John Marchment addressed the Committee for a second time expressing concern that the Oshawa Environmental Advisory Committee and Safe City Oshawa Partnership were not in attendance and had not been consulted.

Cory Fawcett addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc. expressing concern about the safety of his children in the area.

Michael Thorpe addressed the Committee on behalf of SmartCentres stating that SmartCentres will be submitting comments on the application once all relevant application and planning materials have been received and reviewed.

Wade Snow addressed the Committee in opposition to the applications submitted by Whitby Meadows Inc., expressing concern regarding traffic congestion, pedestrian safety and the potential relocation of wildlife that currently lives on the berm.

The Committee questioned the Commissioner, Development Services.

Henry Alessandrow address the Committee in opposition to the applications submitted by Whitby Meadows Inc. expressing concern regarding the type of criminal element that may be attracted to a plaza development, noting he was expecting that the land would remain zoned “residential”.

The Chair canvassed the room and no further public comments were received.

Correspondence

Moved by Councillor Pidwerbecki,

“That Correspondence DS-14-186 dated September 8, 2014 from Ornella Richichi, Executive Vice-President, Land Development, SmartCentres advising they intend to submit comments on the application submitted by Whitby Meadows Inc. once all relevant planning documents are received, be added to the agenda.” Carried

DS-14-186 SmartCentres – Advising of Intent to Submit Comments on the Application Submitted by Whitby Meadows Inc. Once all Relevant Planning Documents are Received

Moved by Councillor Pidwerbecki,

“That the Development Services Committee recommend to City Council:

That Correspondence DS-14-186 dated September 8, 2014 from Ornella Richichi, Executive Vice-President, Land Development, SmartCentres advising they intend to submit comments on the application submitted by Whitby Meadows Inc. once all relevant planning documents are received, be received for information.” Carried

DS-14-182 Ron Boulter – Submitting Comments in Opposition to the Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 for 575-725 Taunton Road East and Lands to the South of 575-725 Taunton Road East, and the Unopened Murton Street Road Allowance

Moved by Councillor Pidwerbecki,

“That the Development Services Committee recommend to City Council:

That Correspondence DS-14-182 dated August 16, 2014 from Ron Boulter submitting comments in opposition to the applications to amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 for 575-725 Taunton Road East and lands to the south of 575-725 Taunton Road East, and the unopened Murton Street Road Allowance, be received for information.” Carried

Report

DS-14-172 Applications to Amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 for 595-725 Taunton Road East and lands to the south of 595-725 Taunton Road East, and the unopened Murton Street road allowance and the Subdivision Agreements for Registered Plans 40M-2157 and 40M-2309, Whitby Meadows Inc.

Moved by Councillor Pidwerbecki,

“That pursuant to Report DS-14-172 dated September 3, 2014, the applications submitted by Whitby Meadows Inc. to amend the Oshawa Official Plan and Pinecrest Part II Plan (File: OPA-2014-02) and Zoning By-law 60-94 (File: Z-2014-01) to permit special purpose commercial uses on the unopened Murton Street road allowance and 595-725 Taunton Road East and lands to the south and the requested amendments to the subdivision agreements for 40M-2157 and 40M-2309 (Files: 18T-92015-AA and 18T-95003-AA) 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

**Excerpts from the Minutes of the Development Services Committee Meeting held on
September 10, 2018**

Presentation

Lindsay Dale-Harris and Colin M, Bousfields Inc. to present an overview of the applications submitted by Whitby Meadows Inc. for approval of Draft Plan of Subdivision and revised applications to amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 for lands located at 595 to 667 Taunton Road East, lands to the South of 595 to 725 Taunton Road East and the unimproved Murton Street road allowance as well as amendments to the Subdivision Agreements for Registered Plan 40M-2157 and 40M-2309.

Delegations

John Marchment addressed the Development Services Committee concerning the development applications submitted by Whitby Meadows Inc. as set out in Report DS-18-138 stating concerns with drainage issues on the site. John Marchment also expressed concern with the volume of traffic on Grandridge Avenue, suggesting that Grandridge Avenue is not built for that type of vehicle traffic and suggested using Murton Street instead.

Frank Romano addressed the Development Services Committee concerning the development applications submitted by Whitby Meadows Inc. as set out in Report DS-18-138 stating his property adjacent to one of the proposed properties and expressed concerns with water and sewer access, as well as access to his drive way.

Ramona Spiteri-Petrolo addressed the Development Services Committee concerning the development applications submitted by Whitby Meadows Inc. as set out in Report DS-18-138 stating she is concerned that the development will increase the volume of traffic that is already heavy in the area. Ramona Spiteri-Petrolo stated that her property currently has issues with water in the back yard and suggested that if the new property is not level with hers more water will come.

Jason Lasconke addressed the Development Services Committee concerning the development applications submitted by Whitby Meadows Inc. as set out in Report DS-18-138 stating he has concerns with safety and traffic in the area.

Rosemary McConkey addressed the Development Services Committee concerning the development applications submitted by Whitby Meadows Inc. as set out in Report DS-18-138 stating that Clearbrook Street and Taunton Road is already a difficult intersection and suggested that a traffic light should be installed at that intersection before further construction begins.

Cathy Clark addressed the Development Services Committee concerning the development applications submitted by Whitby Meadows Inc. as set out in Report DS-18-138 stating

that the intersection of Clearbrook Street and Taunton Road should have a traffic light to control congestion. Cathy Clark also expressed concern with the access and noise from delivery trucks.

Correspondence

DS-18-156 Frank, John and Assunta Romano - In Opposition to Development Applications Submitted by Whitby Meadows Inc. for Lands Located at 595-677 Taunton Road East, Lands to the South of 595-725 Taunton Road East and the Unopened Murton Street Road Allowance

Moved by Councillor Pidwerbecki,

“That Correspondence DS-18-156 from Frank, John and Assunta Romano submitting correspondence in opposition to the development applications submitted by Whitby Meadows Inc. for lands located at 595-677 Taunton Road East, lands to the south of 595-725 Taunton Road East and the unopened Murton Street road allowance be referred to staff for consideration in the future recommendation report on the matter.” Carried

Reports

DS-18-138 Application for approval of Draft Plan of Subdivision S-O-2018-01 and revised applications to amend the Oshawa Official Plan, Pinecrest Part II Plan and Zoning By-law 60-94 for 595-667 Taunton Road East, lands to the South of 595-725 Taunton Road East and the unimproved Murton Street road allowance, and amendments to the Subdivision Agreements for Registered Plan 40M-2157 and 40M-2309, Whitby Meadows Inc.

Moved by Councillor Pidwerbecki,

“That, pursuant to Report DS-18-138 dated September 6, 2018, the following applications be referred back to staff for further review and the preparation of a subsequent report and recommendation:

- Revised application submitted by Whitby Meadows Inc. to amend the Oshawa Official Plan and Pinecrest Part II Plan (File OPA-2014-02) at 595-667 Taunton Road East, the lands to the south of 595-725 Taunton Road East and the unimproved Murton Street road allowance; and,
- Revised application submitted by Whitby Meadows Inc. to amend Zoning By-law 60-94 (File Z-2014-01) at 595-667 Taunton Road East, the lands to the south of 595-725 Taunton Road East and the unimproved Murton Street road allowance; and,
- Application submitted by Whitby Meadows Inc. for approval of a draft plan of subdivision (File S-O-2018-01) for the development of 11 lots for single detached dwellings, 16 blocks for 87 street townhouses, a medium density residential block, a commercial block, a future development block, a landscaping block, a block for the future further extension of Grand Ridge Avenue, and new collector and local roads, at 595-667 Taunton Road East and the lands to the south of 595-725 Taunton Road East; and

- Requested amendments to the subdivision agreements for 40M-2157 and 40M-2309 (Files 18T-92015-AA and 18T-95003-AA).

This referral does not constitute or imply any form or degree of approval.” Carried