

9.0 IMPLEMENTATION

Implementation of the Recommended Land Use Plan and Urban Design Concept will require amendments to the City's Official Plan, the Secondary Plan for the Samac Community (Samac Secondary Plan) and Zoning By-law No. 60-94. Below are recommended actions toward realizing these changes.

9.1 Amendments to the City of Oshawa Official Plan

Site specific policies will need to be introduced into Section 2.0 Land Use Policies of the Oshawa Official Plan to reflect the range of recommended residential and commercial uses, as outlined below:

The following amendments to the Oshawa Official Plan are recommended:

For Section 2.1.4 Site Specific Policies for Central Areas

For the area located at the southeast corner of Simcoe St. N. and Conlin Rd. E. the following shall apply:

- The site shall be redesignated as a Local Central Area in accordance with the policies in section 2.1.2 of the Oshawa Official Plan, relevant policies in the Samac Secondary Plan and the Simcoe St. N. Urban Design Guidelines.
- Development or redevelopment of lands within this Local Central Area shall be subject to the preparation of a comprehensive site plan which indicates the layout of buildings, parking, landscaped areas and access points, such that development on individual properties may be integrated with adjacent properties in accordance with provisions in the Samac Secondary Plan.
- Commercial and residential uses shall be limited to those identified in section 9.4.3 of this report.
- Notwithstanding the provisions of section 2.1.2.3, a retail impact study will not be required for this Local Central Area.

For Section 2.2.9 Site Specific Policies for Commercial

- The Planned Commercial Strip on the west side of Simcoe St. N. between the northern study area boundary south to the south leg of Niagara Dr., will be developed in accordance with relevant policies in the Samac Secondary Plan and the Simcoe St. N. Urban Design Guidelines.
- Notwithstanding the provisions of section 2.2.5.2, commercial and residential development will be limited to the permitted uses identified in section 9.4.2 of this report.

For Section 2.3.7 Site Specific Policies for Residential

- Residential and limited commercial development on the east side of Simcoe St. N. from the hydro corridor south to the Camp Samac and from the southern boundary of Camp Samac to 1645 Simcoe St. N., will develop in accordance with section 9.4.1 of this report, relevant policies in the Samac Secondary Plan and the Simcoe St. N. Urban Design Guidelines.
- Residential and commercial development on the west side of Simcoe St. N. located from the south leg of Niagara Dr. south to the southern study area boundary, will develop in accordance with section 9.4.5 of this report.

Amendments to Schedule 'A' Land Use Plan include the following:

- Delete the Planned Commercial Strip designation and add a Local Central Area at the southeast corner of Simcoe St. N. and Conlin Rd.

9.2 Amendments to the Samac Secondary Plan

A new section will need to be introduced into the Samac Secondary Plan to incorporate the proposed ‘*mixed use*’ designations: *Low-Rise Residential Mixed Use*, *Residential Mixed Use* and *Mixed Use*. The new section should provide an indication of the type of development and vision for these three new areas as described in the body of this report.

East Side of Simcoe St. N.

Lands along the east side of Simcoe St. N. are primarily designated *Low Density Residential* with the exception of the *Planned Commercial Strip* node at the Conlin/Simcoe intersection. Many of the existing one to two storey single detached buildings that dominate the frontage onto Simcoe St. N. were constructed in the late 1940s to 1960s with a small number of properties having undergone major renovation. Other than the *Planned Commercial Strip* at the Conlin corner, there are limited commercial uses on the east side. The property on the north side of Carswell/Simcoe is currently operated as a used car sales lot and is designated as *Low Density Residential*. A portion of the *Open Space and Recreation* lands in the south is currently operated as the Oshawa Creek Family Golf centre. The remaining *Open Space and Recreation* lands on the east side are located in Camp Samac and are operated by the Boy Scouts.

Proposed Changes for the East Side

It is recommended that the Samac Secondary Plan be amended as follows:

- Redesignate *Planned Commercial Strip* and immediately adjacent *Low Density Residential* designated lands to the new *Mixed Use* designation for lands directly south of Conlin Rd. E. to the southern boundary of the hydro corridor.
- Redesignate *Low Density Residential* to *Low-Rise*

Residential Mixed Use from the hydro corridor south to Camp Samac and from the south boundary of Camp Samac lands to 1645 Simcoe St. N.

- Lands excepted from this designation that are to remain as *Low Density Residential* are the portion of the hydro corridor fronting onto Walreg Dr. and 8 and 12 Taylorwood Rd.
- Maintain the existing *Open Space and Recreation* designation of Camp Samac.
- Redesignate a portion of the *Open Space and Recreation* lands to *High Density I Residential* that are located outside the floodplain line fronting Simcoe St. N. and between the south boundary of 1645 Simcoe St. N. and Oshawa Creek.
- Maintain the existing *Open Space and Recreation* designation of lands surrounding the golf centre and south to the Creek.

West Side of Simcoe St. N.

The Samac Secondary Plan identifies *Planned Commercial Strip* land uses for the west side from the northern boundary of the study corridor south to the south leg of Niagara Dr. with the exception of the corner property at Niagara Dr. Existing commercial operations on these lands include a gas station, a number of auto dealers and auto-related operations, wholesaler, chiropractic office, surface parking lot operated by Durham College/UOIT in addition to single detached homes.

Existing land use designations are more varied south of Niagara Dr. (south entrance), with less of a focus on commercial uses. Two nodes of *High Density I Residential* exist – one located on Niagara Dr. (south) and the second node further south surrounded by open space lands. Redevelopment of lands directly south of Niagara Dr. is underway with 28 townhomes recently completed. A site plan application was previously submitted for an 18-unit condominium

that falls within the *Medium Density I Residential* designation. The Shrine Club is located south of the townhouse development and is designated as *Community Uses*. A commercial auto-related operation exists just north of the Oshawa Creek, located on *Open Space and Recreation* lands. The remaining lands south of the Shrine Club are *Open Space and Recreation*.

Proposed Changes for the West Side

It is recommended that the Samac Secondary Plan be amended to:

- Redesignate *Planned Commercial Strip* lands to *Residential Mixed Use* from the northern study area boundary to the north side of the south leg of Niagara Dr.
- Retain the *Medium Density Residential I* designation for lands directly south of Niagara Dr.
- Retain the current *Community Uses* designation for the Shrine Club lands but add *Medium Density Residential I* uses.
- Extend the existing *High Density Residential I* designation at 1610 Simcoe St. N. northward to include 1620 Simcoe St. N.
- Retain the existing *Open Space and Recreation* designation for lands adjacent to Oshawa Creek.

9.3 Amendments to the Zoning By-law

Creating a regulatory framework for the ‘mixed use’ zones requires some modifications to existing zones in Zoning By-law 60-94. Proposed zoning is identified in Figure 25.

Recommended amendments to Zoning By-law 60-94 include the following:

- Establish three new ‘Residential-Commercial’ zones to implement the mixed use land use designations:
 - **RC-A** – applies to lands with a “Low-Rise Residential Mixed Use” land use designation;
 - **RC-B** – applies to lands with a “Residential Mixed Use” land use designation (existing gas station uses on lands located at 1818 Simcoe St. N. will continue to be permitted); and
 - **RC-C** – applies to lands with a “Mixed Use” land use designation.
- Establish a new zone variation for the R6 residential zone to facilitate appropriate development adjacent to the open space lands on the east side:
 - **R6-E/OSH(1)** – applies to lands currently zoned *Open Space Hazard* outside the flood plain and operated by the golf driving range on the east side of Simcoe St. N.
- Maintain the Open Space Hazard (OSH) zone for the remaining portions of land on the east side and retain the Open Space Urban (OSU) and the R1-C zone for Camp Samac.
- Establish a zone variation for the property at 17 Niagara Dr. - R3-A/R4-A/R6-A.
- Extend the R4-A/R6-A zone to include the Shrine Club lands. In addition to the uses permitted in these zones, the property at 1626 Simcoe St. N. will include Community Institutional (CIN) zone uses.

- Retain the R6-A.D95 zoning for 1610 Simcoe St. N. and rezone the property at 1620 to R6-A.D95 to reflect adjacent uses.
- Maintain the Open Space Hazard (OSH) zone for the remaining portions of land on the west side.

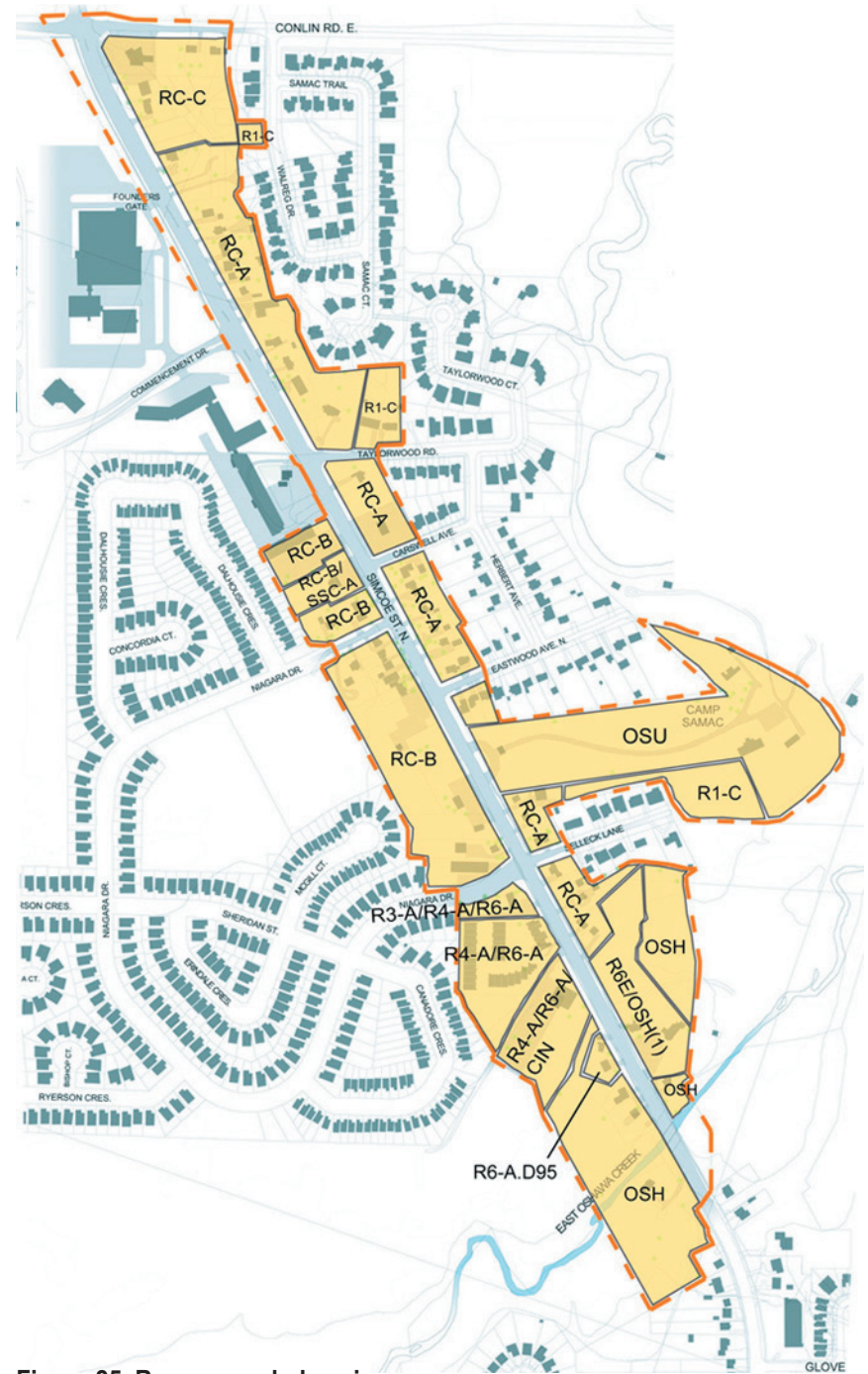


Figure 25. Recommended zoning

9.4 Zoning Approach

Key elements of the zoning approach for the three new mixed use zones include the following components.

- Permitted uses in the new mixed use zones will allow for a greater range of residential housing forms (i.e. street townhouses, block townhouses, low-rise apartment buildings).
- Drive-throughs, gas stations, night clubs and bars will be prohibited.
- Maximum building heights are adjusted (for RC-A and RC-C only) to accommodate intensification and ground floor commercial uses. Maximum building height for properties in RC-B remain as they currently exist for PSC-A.
- Development criteria are established through zoning and urban design guidelines to ensure appropriate setbacks and buffering from adjacent residential areas.
- Location of garbage, loading and parking will be addressed through site plan approval to ensure appropriate location and buffering from adjacent residential uses.
- Office/personal service establishment conversions are permitted in existing buildings.
- Lot consolidation is encouraged to reduce driveway access from Simcoe St. N.
- Lots may contain mixed use buildings, stand alone residential or stand alone commercial buildings in certain locations.

Detailed explanation for permitted uses, development criteria and rationale for each new proposed zone is provided in subsequent sections.

9.4.1 RC - A

The RC-A zone encompasses a large portion of the east side of the Simcoe St. N. study corridor. Development in the RC-A zone will permit a mix of *Medium Density I Residential* and certain commercial/office uses. Conversions of existing buildings to office or commercial uses will be permitted.

Permitted uses

(a) Existing single detached dwelling as of the date of the passage of the Zoning By-law Amendment; second suite in a building existing as of the date of passage of the Zoning By-law Amendment; and office, personal service establishment and flat in a building existing as of the date of passage of the Zoning By-law Amendment.

(b) Residential – apartment building; block townhouse; flat; home for the aged; nursing home; retirement home; and street townhouse; provided no unit contains more than 4 bedrooms.

(c) Commercial - day care centre; office; personal service establishment; private school; studio. A retail store shall be permitted only on a lot within 60 metres of a flanking street with access from the flanking street and provided the gross floor area of any individual retail store shall not exceed 500 square metres.

The permitted uses in (b) or (c) above, shall be located on a lot containing one of the following:

1) A mixed use building (residential and commercial) provided that for every square metre of commercial floorspace, 2 square metres of residential floorspace are provided;

2) A stand alone residential building; or

3) A stand-alone commercial building provided the lot is located

within 60 metres of a flanking street and vehicular access is provided from the flanking street.

Development Criteria

Access

- Minimum lot frontage of 50 metres on Simcoe St. N.
- Opportunities for shared driveways to accommodate the Regional standard for spacing at 80 metres for a Type B arterial road and options for easements across lots to consolidate access to Simcoe St. N. will be secured.

Height & Setbacks

- Minimum 5.5 metres building height required and buildings shall not be less than two storeys in height above grade.
- Maximum building height of 11 metres based on the following:
 - (a) a 9 metre setback is provided from adjacent residential zones;
 - (b) only a 9 metre high building is located between the 9 metre setback from adjacent residential zones and 11 metres from adjacent residential zones; and
 - (c) an 11 metre high building is located no closer than 11 metres from adjacent residential zones.
- Front yard depth and exterior side yard depth is a minimum of 3 metres and maximum of 5.5 metres.
- Interior sideyard setback as per Section 18.2 in existing Zoning By-law 60-94.
- Landscape buffer of a minimum of 3 metres from adjacent residential zones.

Parking/Loading/Garbage

- Location of parking, loading and garbage to be prohibited in the front of buildings, fronting onto Simcoe St. N. or a flanking street. Further details to be addressed at site plan control based on Urban Design Guidelines.
- Garbage storage must be enclosed.

Density

- Maximum 60 UPH (24 UPA) (residential).
- Mixed use density is consistent with development and built form criteria.

Rationale

Promoting a strong relationship between land use and urban form will enhance the public realm, stimulate street activity and improve pedestrian safety. The *RC-A* zoning will allow for more appropriate uses fronting onto an arterial road. This designation would replace the existing 'single use' residential zone thereby potentially contributing over time, to the creation of a more vibrant urban village. A limited range of commercial/office uses is envisioned for this area with exposure to street frontage.

Currently, the number of existing driveways along the corridor has created issues for traffic movement along Simcoe St. N. Residents of these properties have raised concerns about access/egress from their properties. To address this issue, it is proposed that easements be encouraged as new development occurs thereby reducing the number of access points onto Simcoe St. N. and enhancing the pedestrian focus of the street. The proposed zone:

- Provides a mix of residential and commercial uses which is consistent with provincial and regional policy for arterial roads.

- Increases residential densities along major corridors through introduction of second suites in existing single detached dwellings and increases residential densities for redeveloped sites. This provides an opportunity for a range of housing options in the corridor rather than low-density residential areas and is in keeping with provincial direction on growth management.
- Limits the number of bedrooms to provide restrictions on the size of each dwelling unit.
- Recognizes that some properties may take longer to develop due to the number of lots. Permitted uses for existing single detached units have been extended to include conversions to office uses or personal service establishments as appropriate uses for this arterial road.
- Restricts commercial uses to office uses to reflect constraints imposed by shallower lot depths along this portion of the corridor. Retail uses (with size restriction) are permitted only near flanking streets to take advantage of access opportunities from these streets.
- Encourages lot consolidation to reduce the number of access points to Simcoe St. N.
- Establishes development criteria for heights and setbacks to adjacent residential uses that will provide for appropriate buffers with adjacent uses.
- Provides parking and loading requirements that will ensure adequate buffering from adjacent residential uses.

9.4.2 RC - B

The RC-B zone is located on the west side of Simcoe St. N., north of the south leg of Niagara Dr. Development in the RC-B zone will permit a mix of *Medium-Density II Residential* uses and a variety of commercial uses. Conversions of existing buildings to office commercial or personal service establishments will be permitted.

Permitted Uses

The residential uses permitted are the same as those in section (b) of 9.4.1 and also include a crisis care residence, a lodging house and a University Residence¹. The permitted commercial uses are identified below. These permitted uses are based on the ability to achieve performance criteria. Lots may contain mixed use buildings (residential, office and commercial) stand alone residential or stand alone commercial buildings.

- Commercial – animal hospital; art gallery; brew your own operation; commercial school; commercial recreation establishment (except billiard hall); crisis care residence; day care centre; financial institution; hotel; merchandise service shop; office; printing establishment; studio; personal service establishment; private school; restaurant, retail store; provided that the GFA occupied by any individual financial institution, merchandise service shop, personal service establishment or retail store shall not exceed 1550 square metres.
- The *Automobile Service Station* (SSC) zone will continue to apply to the property at 1818 Simcoe St. N.

Development Criteria

Access

- Minimum lot frontage of 50 metres on Simcoe St. N.
- Opportunities for shared driveways to accommodate the Regional standard for spacing at 80 metres for a Type B arterial road and options for easements across lots to consolidate access to Simcoe St. N. will be secured.

Height & Setbacks

- Minimum 5.5 metre building height between grade and the top of the front facing facade along Simcoe St. N.
- Maximum building height of 13 metres.
- Minimum setback from adjacent residential zone is 9 metres.
- Front yard depth for 60 percent of the frontage and exterior side yard depth is a minimum of 3 metres and maximum of 5.5 metres.
- Interior sideyard setback as per Section 18.2 in existing Zoning By-law 60-94.
- Landscape buffer of a minimum of 3 metres from adjacent residential zones.

Parking/Loading/Garbage

- Location of parking, loading and garbage to be prohibited in the front of buildings, fronting onto Simcoe St. N.
- Further details to be addressed through site plan control based on Urban Design Guidelines.
- Garbage storage must be enclosed.

Density

- Maximum 85 UPH (34 UPA) (residential);
- Mixed use or commercial density in accordance with development and built form criteria.

Rationale

The existing Planned Strip Commercial zoning on the west side of Simcoe St. N. is reflective of the type and scale of development envisioned in the proposed new RC-B zone but with buildings aligned along the street. The range of permitted commercial uses has been narrowed from the existing Planned Strip Commercial zone to reflect the local needs of current and future residents.

Specifically:

- auto-related uses and outdoor storage accessory uses are not permitted given that these uses are incompatible with the vision for a pedestrian-oriented corridor;
- assembly hall, auction establishments, church, cinema, club, funeral home, tavern, taxi establishment are not permitted within the study corridor given that these uses are significant traffic generators and are incompatible with the vision for Simcoe St. N.;
- museum and theatre are not permitted within the study corridor given that these uses are significant traffic generators and more appropriately located in the downtown or in the future Main Central Area at Simcoe St. N. and Winchester Rd.

The deep lots provide an opportunity to consolidate access to Simcoe St. N. at fewer locations by creating easements over laneways. Laneways could provide access to buildings and allow for parking behind rather than fronting onto the road creating an attractive and welcoming streetscape along the street frontage. Comparatively large lots may also allow for consolidation of land that is supportive of intensified development. Grade-related commercial combined with residential uses in buildings aligned along the street are encouraged in this zone.

The proposed zone provisions achieve the following:

- Minimum height limits and consistent front yard setbacks ensure a consistent rhythm to the street and facilitates pedestrian amenity.
- Maximum building heights remain the same as in the existing zoning by-law.
- Setbacks to adjacent residential are established to provide a buffer.
- Larger lot depths provide opportunity for higher densities which supports regional intensification requirements to support transit.

9.4.3 RC - C

The RC-C zone is located at the southeast corner of Simcoe St. N. and Conlin Rd. Development in an RC-C zone will permit a mix of residential and commercial/office uses in up to 20 metre high buildings, based on appropriate setbacks from adjacent uses. Residential uses will be based on the *High Density I Residential* designation that allows for low rise and medium rise apartments. The type of commercial development envisioned for the Conlin/Simcoe intersection will be focused on the pedestrian rather than auto-related access. Associated with this site are urban design guidelines that will signal the importance of this intersection.

Permitted Uses

The uses permitted are the same as those identified for RC-B based on the ability to achieve development criteria. Lots may contain mixed use buildings (residential and office, commercial) stand alone residential or stand alone commercial buildings.

Development Criteria

Access

- If access is required from Simcoe St. N., lots must be consolidated to a minimum frontage of 80 metres.
- Lots with frontage on Conlin Rd. E. must show that access to Conlin is consolidated as far away as possible from the intersection of Simcoe St. N. and Conlin and that opportunities for providing easements across adjacent properties can be secured.

Height & Setbacks

- Minimum 5.5 metre building height between grade and the top of the front facing facade along Simcoe St. N. and Conlin Rd. E.
- Maximum building height of 20 metres except that a maximum height will be limited to 11 metres in the area between a 9 metre setback from an adjacent residential zone and a distance of 30 metres from an adjacent residential zone.
- Buildings fronting on Simcoe St. N. or Conlin Rd. E. require a setback of a minimum of 2 metres above the 4th storey of the front of the building.
- Setbacks must be a minimum of 9 metres from an adjacent residential zone and 4.5 metres from an adjacent RC-A zone.
- Front yard depth is a minimum of 3 metres and maximum of 5.5 metres along 60 percent of the frontage along Simcoe St. N. and /or Conlin Rd. E.
- Exterior side yard depth is a minimum of 3 metres and maximum of 5.5 metres.
- Interior sideyard setback as per Section 18.2 in existing Zoning By-law 60-94.
- Landscape buffer of 3 metres from adjacent residential zone.

Parking/Loading/Garbage

- Location of parking, loading and garbage to be prohibited in the front of buildings, fronting onto Simcoe St. N. or Conlin Rd E.
- Parking and loading to be located at least 6 metres from adjacent residential zones.
- Further details to be addressed through site plan control based on Urban Design Guidelines.
- Garbage storage must be enclosed.

Density

- 150 UPH (60 UPA) (residential).
- Mixed use or commercial density to conform to development and built form criteria.

Rationale

The land use changes introduce the concept of a ‘gateway’ function at the Conlin/Simcoe intersection by signalling to commuters that they are entering a more urban area of Oshawa. The RC-C zone recommended for this area permits a broader range of uses and higher building heights to capture the importance of this corner adjacent to the Durham College/UOIT lands and at the intersection of two arterial roads.

The following features of the RC-C zone achieve this objective:

- Permitted uses provide a scope of commercial, office and residential uses appropriate for this area but do not permit auto-related uses, taverns, nightclubs, theatres or other uses which may conflict with the study objectives or which are more suitable in Oshawa’s downtown.
- Minimum building height provides for intensification along

the corridor.

- Higher building height at the Conlin/Simcoe intersection provides for a landmark type of building. Developing to maximum building height is based on achieving development criteria to control for shadow effects on adjacent residential properties.
- Range of commercial uses and increased Floor Space Index (FSI) permits broad range of commercial/office opportunities.
- Required minimum 9 metre setback from residential uses is greater than zone requirements in the current zoning by-law and allows for suitable buffer with adjacent residential properties.
- Pedestrian-scaled development is achieved through building stepbacks above the 4th storey for facades fronting onto Simcoe St. N. and Conlin Rd. E.
- Parking and loading requirements establish a setback from adjacent residential uses.

9.4.4 R6-E/OSH(1)

Development in the R6-E zone will permit High Density I Residential uses and OSH (1) uses in existing Zoning By-law 60-94.

Permitted Uses

- Residential – apartment building provided no unit contains more than 4 bedrooms; block townhouse provided no unit contains more than 4 bedrooms; home for the aged; nursing home; retirement home; provided no unit contains more than 4 bedrooms; university residence.
- OSH(1) uses.

Development Criteria

Height & Setbacks

- Minimum 5.5 metre building height required, and buildings shall not be less than two storeys in height above grade.
- Maximum building height of 20 metres.
- Minimum setback from adjacent RC-A zone and OSH(1) zone is 9 metres.
- Front yard depth for 60 percent of the frontage and exterior side yard depth is a minimum of 3 metres and maximum of 5.5 metres.
- Interior side yard setback as per Table 11.2 in existing Zoning By-law 60-94.

Parking/Loading/Garbage

- Location of parking, loading and garbage to be prohibited from the front of buildings, fronting onto Simcoe St. N. or a flanking street.
- Further details to be addressed through site plan control based on Urban Design Guidelines.

Rationale

The *Residential Mixed Use* within the golf driving range lands fronting onto Simcoe St. N., could be developed to *High Density I Residential* density to increase intensification of this land while maximizing views of the Oshawa Creek valley lands. ‘Higher density’, does not necessarily mean high rise buildings as increases in net density can be achieved with low rise forms such as low and medium apartment buildings. The 20 metre height is reasonable in this location given the surrounding green space lands that act as a buffer to adjacent low-rise mixed use areas.

The surrounding area adjacent to the Oshawa Creek is appropriately designated and is proposed to remain designated as *Open Space and Recreation* to ensure that access to valley lands continues to be secured.

9.4.5 Other zones

The medium density residential node currently in place south of Niagara Dr. has recently been developed pursuant to the R4-A/R6-A zoning and there is no need to change the zoning along this portion of the corridor. The zoning for the property directly north has been extended to include R3-A (street townhouses) as this may be an appropriate form of development fronting onto Niagara Dr.

- R3-A/R4-A/R6-A - Expanding the R4-A/R6-A zone to include R3-A will permit street townhouses at 17 Niagara Dr., allowing for units to face onto Niagara Dr. thereby enhancing the pedestrian environment and providing that no unit contains more than 4 bedrooms.
- R4-A/R6-A/CIN - The deeper lot on the Shrine Club property provides an opportunity to expand this medium density residential designation as a logical extension of land uses that already exist should the Shrine Club lands ever be redeveloped at some point in the future. The site provides for adequate space for buffering with adjacent low density residential uses. By adding community uses to the permitted uses within this zone, the continued operation of the Shrine Club would be recognized. No unit shall contain more than 4 bedrooms.
- R6-A.D95 -The proposed designation of 1620 Simcoe St. N. south of the Shrine Club to medium/high represents a logical extension of the existing *High Density I Residential* designation with residential uses already in place at 1610 Simcoe St. N. No unit shall contain more than 4 bedrooms.

- No land use change is recommended south of these properties as the existing *Open Space and Recreation* designation is considered appropriate for this area due to floodplain issues and the recent acquisition of the lands by the City from CLOCA for recreational use.

Footnotes

¹ *University Residence: means a building or part of a building that is owned or operated by a university or college, that contains residential accommodation for students, employees, or persons in short-term residence at such university or college, whether or not shared culinary facilities are provided in the building.*