



## STAFF REPORT ACTION REQUIRED

### Ossington Avenue Between Queen Street West and Dundas Street West – City-Initiated Official Plan Amendment – Final Report

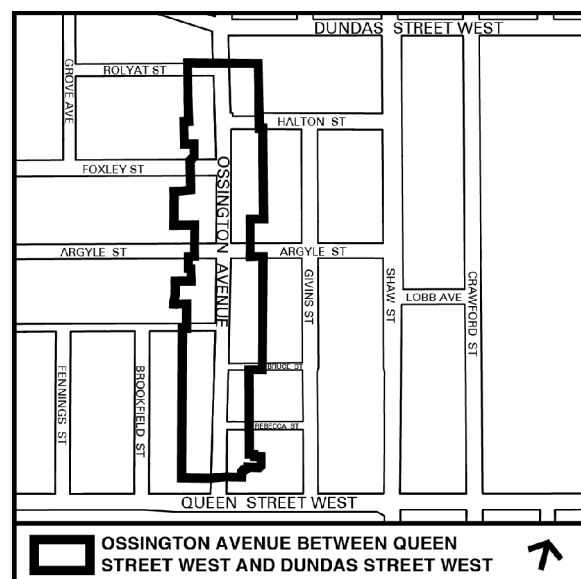
<b>Date:</b>	October 31, 2013
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	13 248160 STE 19 OZ

## SUMMARY

This is a City-initiated Official Plan Amendment to create an area-specific Official Plan policy for Ossington Avenue, between Queen Street West and Dundas Street West. The proposed policy is based on the findings and recommendations of the Ossington Avenue Planning Study that was brought forward to Toronto and East York Community Council at the meeting held on October 17, 2013.

In summary, the proposed policy reinforces the existing permissions while providing more emphasis on streetscape, heritage, character of the street, and transition to adjacent residential uses. While this report recommends a four-storey height limit for the majority of the street, it also identifies opportunity for height up to five storeys on a section of the east side of Ossington Avenue.

This report reviews and recommends approval of a City-initiated Official Plan Amendment to create an area-specific Official Plan policy (see Attachment 4).



## RECOMMENDATIONS

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the properties on Ossington Avenue between Queen Street West and Dundas Street West, substantially in accordance with the proposed Official Plan Amendment attached as Attachment No. 4 to report (October 31, 2013) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

## BACKGROUND

### **Decision History**

At the Toronto and East York Community Council meeting on October 17, 2013, a staff report entitled Ossington Avenue Planning Study – Draft Official Plan Amendment (Item TE 27.33) was brought forward for consideration. In accordance with the report recommendations, the Toronto and East York Community Council:

1. Requested the Director of Community Planning, Toronto and East York District to bring forward final recommendations for an Official Plan Amendment to create a new area-specific policy for Ossington Avenue, between Queen Street West and Dundas Street West, generally as described in the report (September 30, 2013) from the Director of Community Planning, Toronto and East York District, to the Toronto and East York Community Council meeting scheduled for November 19, 2013.
2. Directed that statutory public notice under the Planning Act be issued for the recommended Official Plan Amendment.
3. Requested the Director of Community Planning, Toronto and East York District, to report back to Toronto and East York Community Council on an appropriate Zoning By-law Amendment to implement aspects of the new area-specific Official Plan policy, generally as described in the report (September 30, 2013) from the Director of Community Planning, Toronto and East York District.

The Toronto and East York Community Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE27.33>

At the City Council meeting held on July 11, 12, and 13, 2012, City Council adopted a motion that directed City Planning to:

- a. undertake a review of the current built-form, density, height, and heritage value of the properties on Ossington Avenue between Queen Street West and Dundas Street West;

- b. consult with the community, including landowners and other stakeholder groups, together with the Ward Councillor, to understand the community's concerns and develop a vision for future development in the study area; and
- c. report back on the findings of the review and provide recommendations for changes, if necessary, to the planning framework for the study area.

The City Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.MM25.15>

## **Reason for Area-Specific Official Plan Policy**

The reason for the proposed area-specific Official Plan policy (see Attachment 4) is to implement the recommendations of the Ossington Avenue Planning Study. Specifically, the proposed policy provides clarity regarding an appropriate scale and form of new development on Ossington Avenue, which is designated *Mixed Use Areas* but is not an *Avenue* as defined by the Official Plan. The proposed policy will serve to enhance the existing character and retail function of the street, respect the cultural heritage, and ensure an appropriate transition between new development and existing dwellings in adjacent *Neighbourhoods*.

## **Planning Context**

The subject lands, which include most of the properties on Ossington Avenue between Dundas Street West and Queen Street West, have a total length of approximately 520 metres. Please refer to the staff report entitled Ossington Avenue Planning Study – Draft Official Plan Amendment, dated September 30, 2013, (<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-62199.pdf>) for the following information:

- detailed description of the subject lands and surrounding area;
- heritage attributes; and
- policy framework:
  - Provincial Policy Statement
  - Growth Plan for the Greater Golden Horseshoe
  - Official Plan
  - Zoning Bylaw

## **COMMENTS**

The local community provided substantial input and feedback on the proposed area-specific Official Plan policy. City staff from City Planning, Economic Development, and Legal Services have also provided comments that have informed the proposed policy.

## **Community Consultation**

The community consultation conducted for the Ossington Avenue Planning Study serves as the community consultation for the proposed area-specific Official Plan policy (see Attachment 4). The study involved three community consultation meetings and correspondence with local residents and community groups. A detailed account of the community consultation is provided in the staff report entitled Ossington Avenue Planning Study – Draft Official Plan Amendment, dated September 30, 2013, and may be viewed at <http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-62199.pdf>.

## Agency Circulation

The proposed area-specific Official Plan policy was circulated to appropriate City divisions. Responses received have contributed to formulating and refining the proposed policy.

## Ossington Avenue Planning Study – Draft Official Plan Amendment

In response to the staff report entitled Ossington Avenue Planning Study – Draft Official Plan Amendment that was brought forward to Toronto and East York Community Council on October 17, 2013, written comments were received by the City Clerk from five individuals, including two local residents, a representative of the Ossington Community Association, the solicitor for the owners of 103-111 Ossington Avenue, and a representative of the House of Horvath, which is a cigar manufacturer located at 77 Ossington Avenue. The first three individuals were supportive of the draft area-specific Official Plan policy and the second two individuals opposed the proposed five-storey height limit in *Area 2*, which applies to both 103-111 Ossington Avenue and 77 Ossington Avenue.

## PLANNING RATIONALE FOR AN AREA-SPECIFIC OFFICIAL PLAN POLICY

The Ossington Avenue Planning Study determined that the best way to build upon the existing policy framework and implement the community's vision would be through an area-specific Official Plan policy. A primary reason for this approach is to clarify how the Official Plan applies to proposed intensification in a *Mixed Use Area* that is not part of the *Avenues*, *Centres*, or the *Downtown*, especially given the local character of this area. The portions of Ossington Avenue closest to Queen Street West and Dundas Street West that are considered part of the *Avenues* of those streets have therefore been excluded from the proposed policy.

Detailed planning rationale for each component of the proposed area-specific Official Plan policy (see Attachment 4) is provided in the staff report entitled Ossington Avenue Planning Study – Draft Official Plan Amendment, dated September 30, 2013, and may be viewed at <http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-62199.pdf>

Based on further review by City staff on the draft area-specific policy included in the aforementioned report, a revision has been made to sub-policy (g)i., regarding a building front step-back above the third floor. The previous draft of this policy indicated the building step-back shall be a minimum of three metres, however further review of existing four and five storey buildings in *Mixed Use Areas* indicates that a lesser building step-back could still serve to reinforce the overall character of Ossington Avenue. A minimum three-metre building step-back could also have the unintended consequence of discouraging vertical additions to existing buildings.

## Summary of Rationale for an Area-Specific Official Plan Policy

The proposed area-specific Official Plan policy (see Attachment 4) clarifies how the Official Plan applies to proposed intensification in a *Mixed Use Area* that is not part of the *Avenues*, *Centres*, or the *Downtown*. The proposed policy builds upon existing Official Plan policies

while responding to community objectives and the local character and context. The overall intent of the proposed policy is to:

- ensure an appropriate transition between new development on Ossington Avenue and residential properties in the adjacent *Neighbourhoods*;
- enhance the existing character of the street; and
- support the retail function through policies that provide for a vibrant pedestrian experience.

The proposed policy seeks to strike a balance between the predominant community comments, the community's vision for more shops and services that serve the day-to-day needs of residents, and existing Official Plan policies that support intensification if appropriate transition to adjacent *Neighbourhoods* can be achieved. The proposed four-storey height limit for *Area 1* and the proposed development standards for *Area 2* are relatively restrictive for an Official Plan policy. This approach creates a planned context that provides an appropriate transition to adjacent *Neighbourhoods* and allows for measured intensification that protects the overall character and scale of this comparatively short portion of Ossington Avenue.

## **CONTACT**

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## **SIGNATURE**

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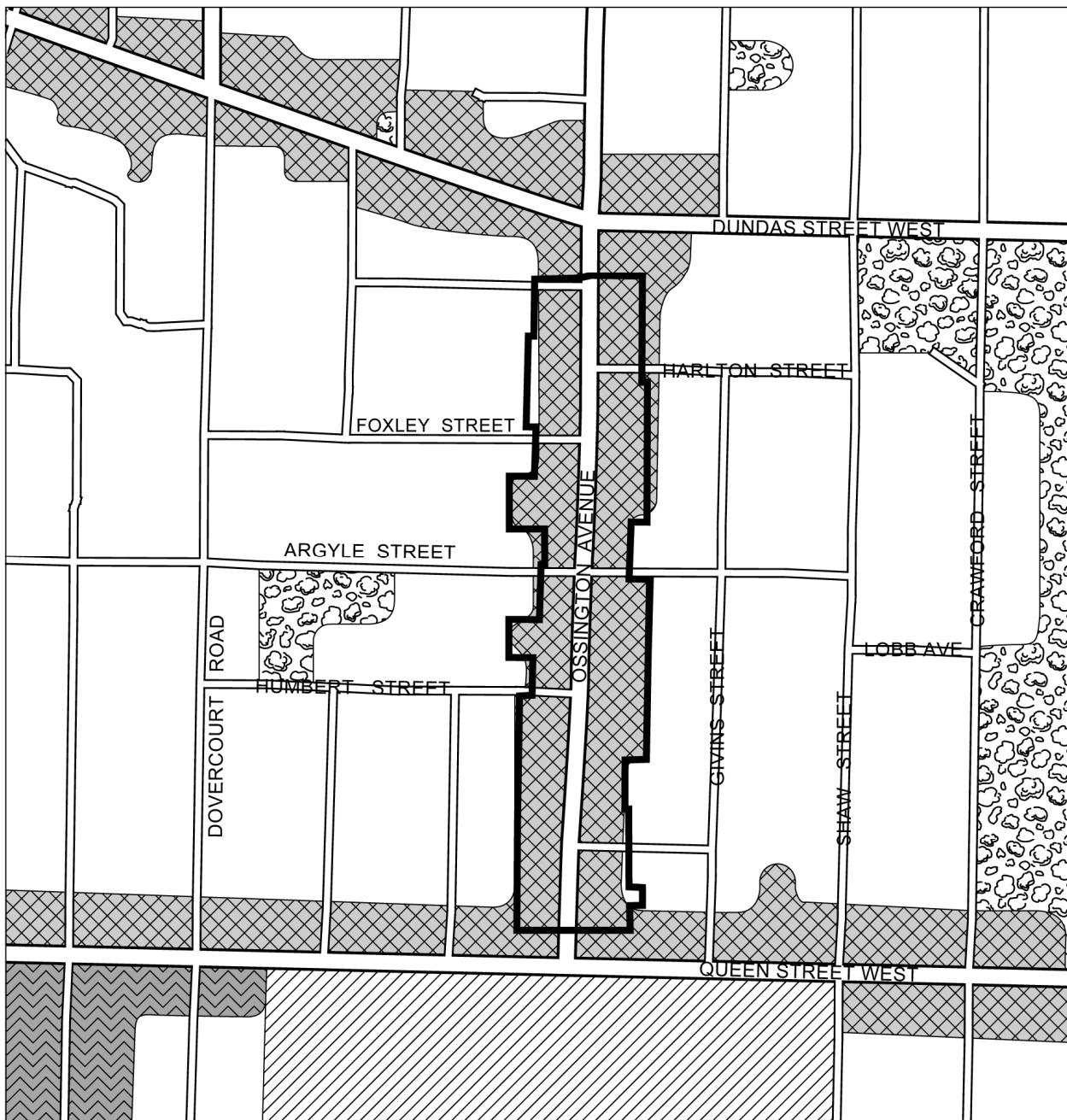
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Official Plan – Land Use Map  
Attachment 2: Zoning – Land Use  
Attachment 3: Zoning – Maximum Height  
Attachment 4: Proposed Official Plan Amendment

## Attachment 1: Official Plan – Land Use Map



**Toronto** City Planning  
Official Plan

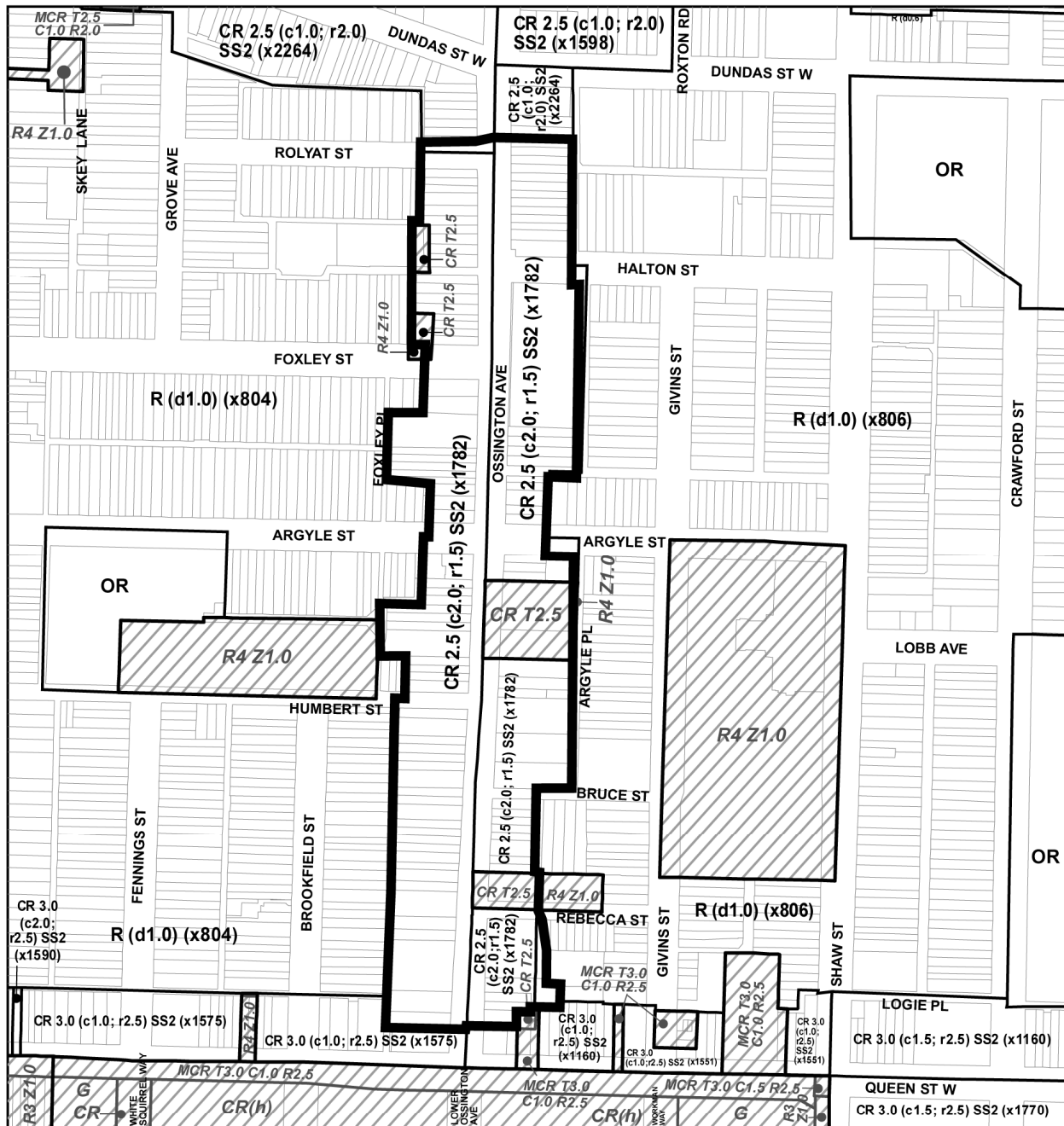
Ossington Avenue between  
Queen Street West and Dundas Street West

File # 13\_248160 STE 19 0Z



Not to Scale  
10/25/2013

## Attachment 2: Zoning – Land Use



**Toronto** City Planning

**Zoning By-law 569-2013**

**Ossington Avenue between  
Queen Street West and Dundas Street West  
File # 13 248160 STE 19 0Z**



Location of Application

**R** Residential  
**CR** Commercial Residential  
**OR** Open Space Recreation



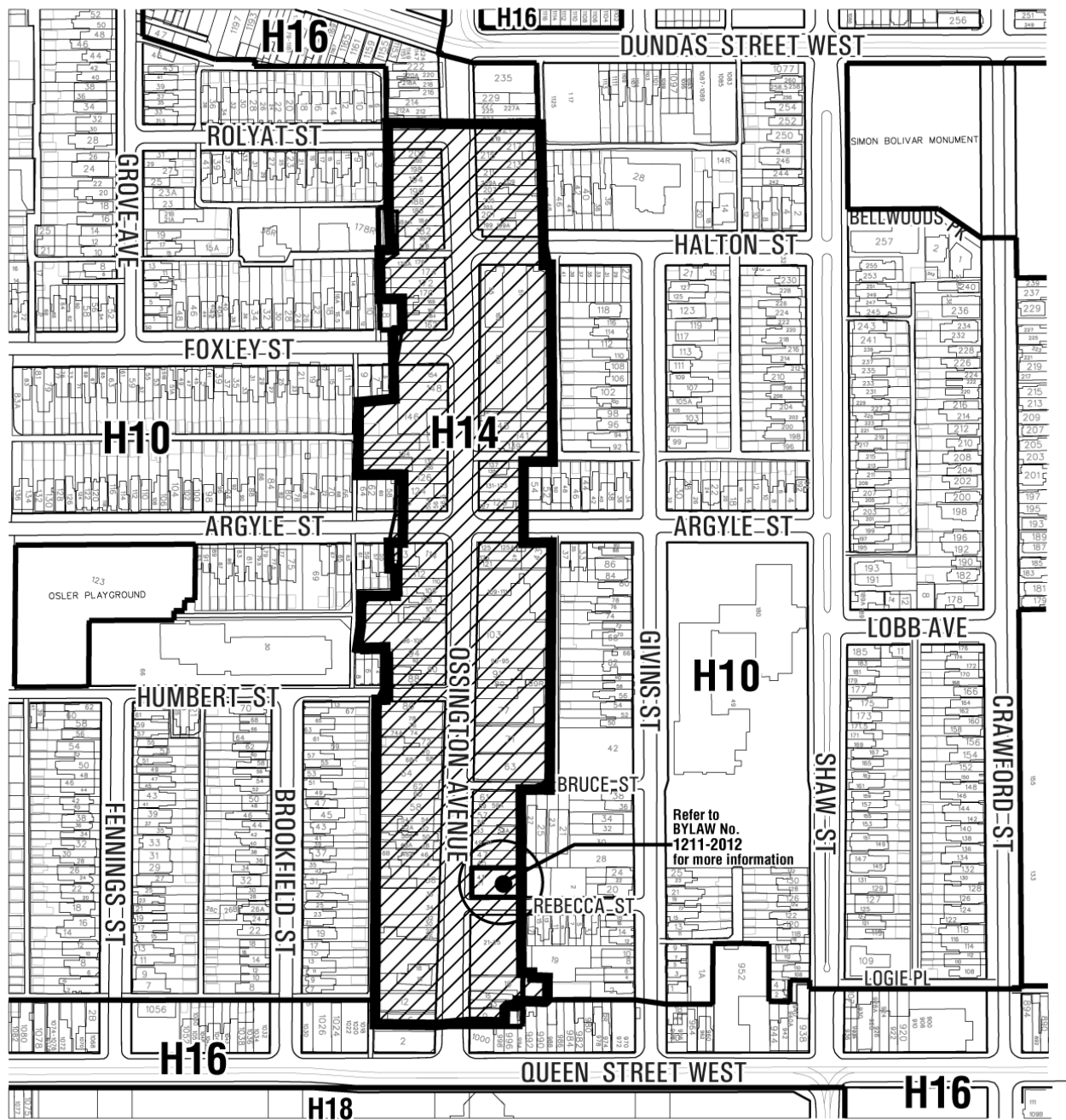
See Former City of Toronto Bylaw No. 438-86

**G** Parks District  
**R3** Residential District  
**R4** Residential District  
**CR** Mixed-Use District  
**MCR** Mixed-Use District



Not to Scale  
Extracted 10/24/2013

### Attachment 3: Zoning – Maximum Height



**Toronto** City Planning  
Zoning - Heights

Ossington Avenue between  
Queen Street West and Dundas Street West  
File # 13\_2248160\_STE\_19\_0Z



Area-Specific



Not to Scale

Extracted 10/24/2013



#### **Attachment 4: Proposed Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

#### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2013, as  
6-202 and 9-221 Ossington Avenue**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. ~~~ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

**AMENDMENT NO. ~ TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS**  
**6-202 OSSINGTON AVENUE AND 9-221 OSSINGTON AVENUE**

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The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. [ ] for lands known municipally in 2013 as 6-202 Ossington Avenue and 9-221 Ossington Avenue, as follows:

[ ]. Ossington Avenue Between Queen Street West and Dundas Street West

The following policies are intended to enhance the existing character and retail function of the street, respect the cultural heritage, and ensure an appropriate transition between new development and existing dwellings in adjacent Neighbourhoods.

- a) The maximum ground floor area of a new retail store is 400 square metres. Minor exceedances of this limit may be considered on a site-specific basis through a Minor Variance application.
- b) Residential dwellings shall not be permitted on the ground floor of new buildings facing Ossington Avenue.
- c) New development will support the existing retail function of Ossington Avenue, be compatible with existing residential uses nearby, and complement the low scale character of the street. Employment uses are encouraged on the upper floors of both new and existing buildings.
- d) To respect the existing character of Ossington Avenue, vertical additions to existing buildings are generally preferred to replacing an entire building. Additions to existing buildings shall not exceed the maximum height described in this area-specific policy and should generally not be more than 50% of the existing building height.
- e) New development will be designed to provide an appropriate transition in scale and massing to minimize the extent to which they overlook and overshadow existing house-form dwellings.
- f) New development shall provide an appropriate transition towards existing buildings in Neighbourhoods and be subject to:
  - i. a maximum height of four storeys (including a mechanical penthouse but not including an elevator over-run or stairwell) in Area 1;
  - ii. a maximum height of five storeys (including a mechanical penthouse but not including an elevator over-run or stairwell) in Area 2;
  - iii. a minimum rear yard setback of 7.5 metres in Area 2, measured from the lot line of the nearest property designated Neighbourhoods in Area 2;
  - iv. a minimum rear yard angular plane of 45 degrees in Area 2, measured from the average grade elevation of the lot line(s) of the nearest property(ies) designated Neighbourhoods; and
  - v. a side and rear façade design that requires architectural details and articulation if it is adjacent to a public right-of-way or significantly visible from a public right-of-way.

- g) New development shall reinforce the existing low scale, fine-grained character of the street and be subject to:
  - i. a building step-back immediately above the third floor;
  - ii. a minimum front yard angular plane of 45 degrees, measured from the street line at an elevation of 13 metres above the average grade;
  - iii. a maximum ground floor to second floor height of 4.5 metres;
  - iv. building articulation, window, and entrance configuration that are generally consistent with the prevailing building pattern for the lower three floors;
  - v. building materials that are complementary to the materials used on existing buildings in the immediate vicinity; and
  - vi. size and placement of signage that is consistent with existing signage in the immediate vicinity.
- h) New development is encouraged to provide or contribute to streetscape improvements in the public rights-of-way and adjacent lands that promote a healthy and vibrant pedestrian environment, including, but not limited to:
  - i. seating areas;
  - ii. trees and landscaping; and
  - iii. art and murals.

