

**41 Ossington Avenue - Zoning Amendment Application  
– Supplementary Request for Direction Report**

<b>Date:</b>	November 28, 2011
<b>To:</b>	City Council
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	Cc11052 (10-266103 STE 19 OZ)

**SUMMARY**

This report provides updated information following Toronto and East York Community Council's request that City Planning staff, together with the Ward Councillor, continue negotiations with the applicant to achieve further setbacks to the upper levels of the 6-storey condominium building at 41 Ossington Avenue along Rebecca Street, and at its easterly end (within the *Mixed Use Area*) at its meeting on November 2, 2011. The report recommends a revised settlement to implement the changes resulting from the recent negotiations.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to attend any Ontario Municipal Board Hearings and not to oppose the Official Plan Amendment and the revised zoning by-law amendment, provided they are in accordance with the revised setbacks/ setbacks and terms of settlement for 41 Ossington Avenue described in the report dated



November 1, 2011, from the Director, Community Planning, Toronto and East York District, subject to an additional 1 metre setback/stepback on the easterly 5<sup>th</sup> and 6<sup>th</sup> floors of the 6-storey condominium building at 41 Ossington Avenue, along Rebecca Street, as shown on (attachment 2 and 3) to the report dated November 25, 2011 from the Chief Planner and Executive Director, City Planning Division.

2. City Council deem that the minor encroachment of the 6-storey mixed use building into the *Neighbourhoods* Designation complies with the intent of the Official Plan under policies 5.6.5 interpretation chapter 5.
3. City Council request the owner to participate in a community construction consulting liaison group to be overseen by the Ward Councillor, to develop a strategy to minimize any impact of construction of the proposed development on the adjacent neighbourhood.
4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

## **DECISION HISTORY**

A full background on the this application, context, planning framework and further revisions following negotiations involving the Ward Councillor, City staff and the applicant are in the August 17, 2011 and November 1, 2011 reports that can be found at (<http://www.toronto.ca/legdocs/mmis/2011/te/bgrd/backgroundfile-40018.pdf>, <http://www.toronto.ca/legdocs/mmis/2011/te/bgrd/backgroundfile-41865.pdf>) and (<http://www.toronto.ca/legdocs/mmis/2011/te/bgrd/backgroundfile-42128.pdf>)

### **Revised Proposal**

On November 21, 2011, the applicant submitted a revised proposal with the following changes:

- An additional 1 metre stepback of the 5<sup>th</sup> floor of the most easterly 13 metres of the condominium building along Rebecca Street;
- An additional 1 metre stepback on the 6<sup>th</sup> floor carried through from the 5<sup>th</sup> floor, along Rebecca Street, resulting in a reduction of the mechanical penthouse;
- Provision of privacy screens on the north and south sides of the most easterly 5<sup>th</sup> floor terrace;
- The residential and total gross floor area for the project has decreased by 13 m<sup>2</sup> (140 sq.ft), from 3,345m<sup>2</sup> (35,990 sq.ft.) to 3,336 (35,892 sq.ft.), of which 242m<sup>2</sup> (2,604 sq.ft.) is proposed for commercial/retail uses; and,

- The applicant has submitted an Acoustical Engineering letter which concludes that appropriate noise control measures have been integrated in the design of the parking stackers, and that noise impacts on the surrounding residential area will not be excessive.

## **COMMENTS**

The additional 1 metre setback/stepback on the 5<sup>th</sup> and 6<sup>th</sup> floors of the condominium building along Rebecca Street provides additional buffer space that mitigates impacts on the abutting residential area, addressing concerns raised by area residents and the Ward Councillor. In addition, the provision of privacy screens on the north and south sides of the most easterly 5<sup>th</sup> floor terrace and acoustical engineering letter addresses concerns noted in the November 1, 2011 report from the Director, Community Planning, Toronto and East York District.

Planning staff acknowledge that the 4-storey component of the 6-storey mixed use building extends into the *Neighbourhoods* portion of the site, and are of the view that a site specific Official Plan amendment application is not required in the circumstances. The mixed use component of the proposal is located principally in the *Mixed Use Area* of the site and only a small portion of the building containing residential units extends into the *Neighbourhoods* portion of the site. Only the 4-storey portion of the building extends into the *Neighbourhoods* designation, the 6-storey portion of the building is contained entirely within the *Mixed Use* designation. As such, the intent of the Toronto Official Plan as interpreted pursuant to the Implementation section (chapter five) is maintained.

## **Conclusion**

Negotiations have resulted in changes to the proposal which address the concerns identified in the report from the Director, Community Planning, Toronto and East York District, dated November 1, 2011 and a motion from the Ward Councillor at the November 2, 2011 Toronto and East York, Community Council meeting.

In view of the satisfactory settlement reached, this report recommends that City Council direct the City Solicitor and appropriate staff to support the revised settlement proposal as described in this report and the November 1, 2011 report, at the Ontario Municipal Board.

## **CONTACT**

Francis Kwashie, Planner  
Tel. No. 416-392-1306  
Fax No. 416-392-1330  
E-mail: fkwashi@toronto.ca

## **SIGNATURE**

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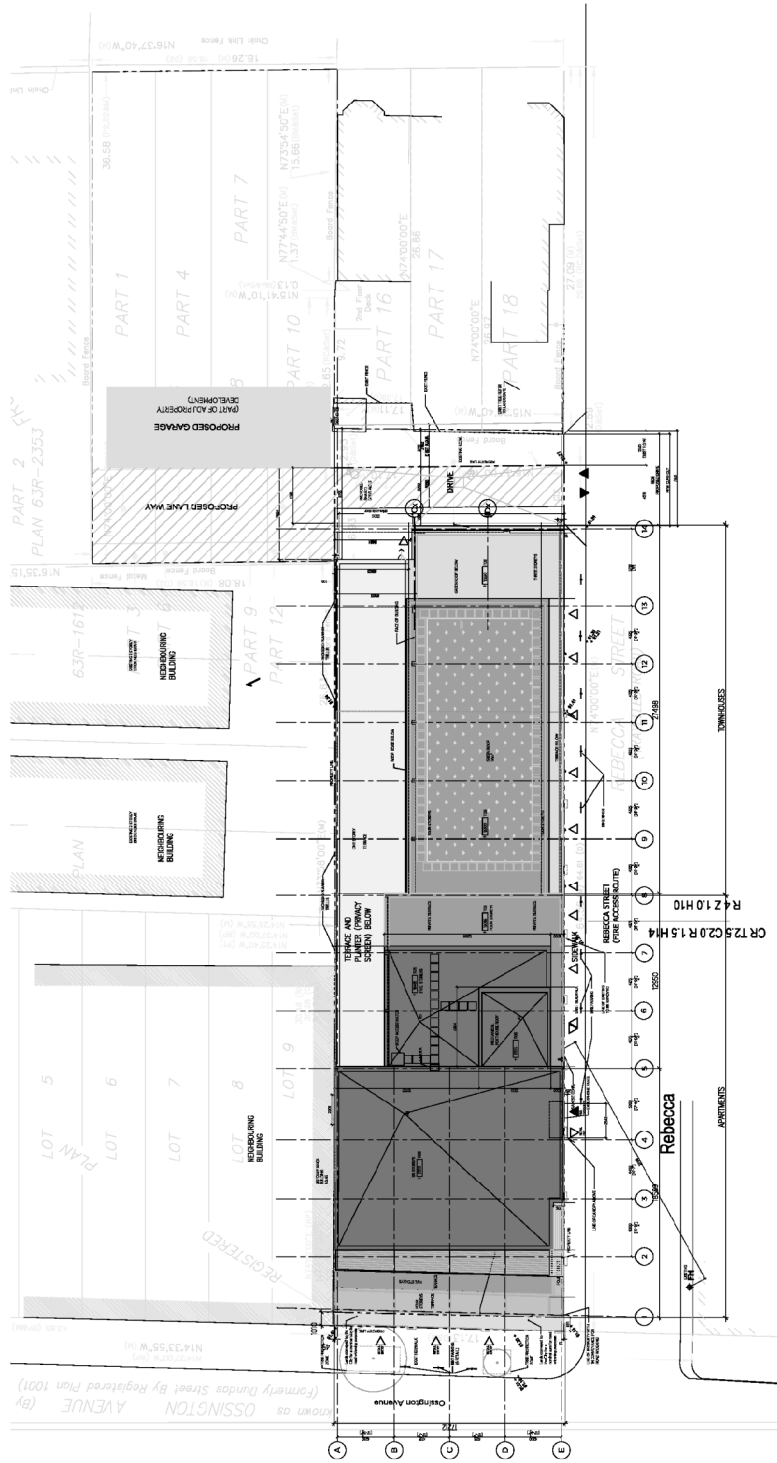
Gary Wright, Chief Planner and Executive Director  
City Planning Division

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North & South Elevation  
Attachment 3: East & West Elevation  
Attachment 4: Zoning Map  
Attachment 5: Application Data Sheet

# Attachment 1: Site Plan



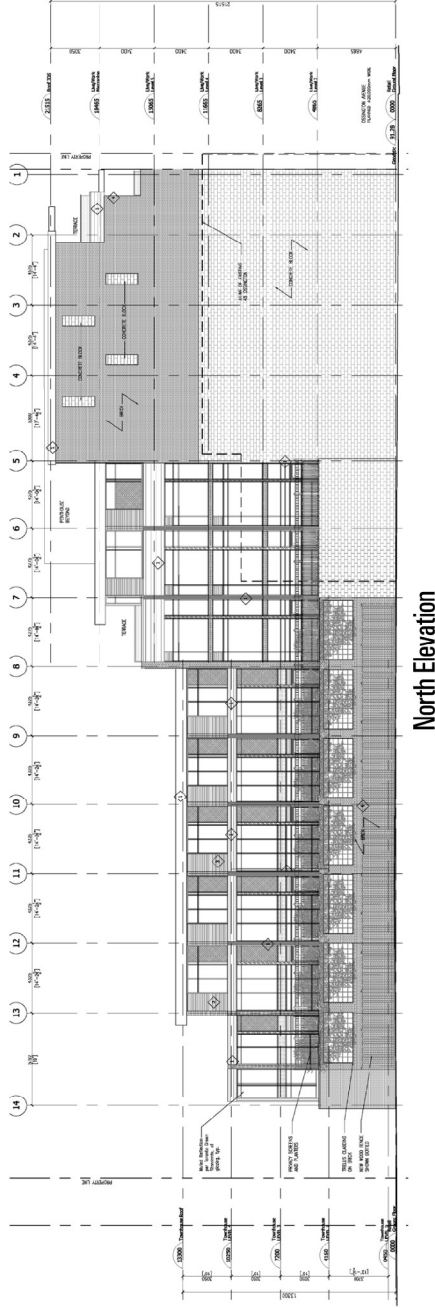
41 Ossington Avenue

**Site Plan**  
 Applicant's Submitted Drawing

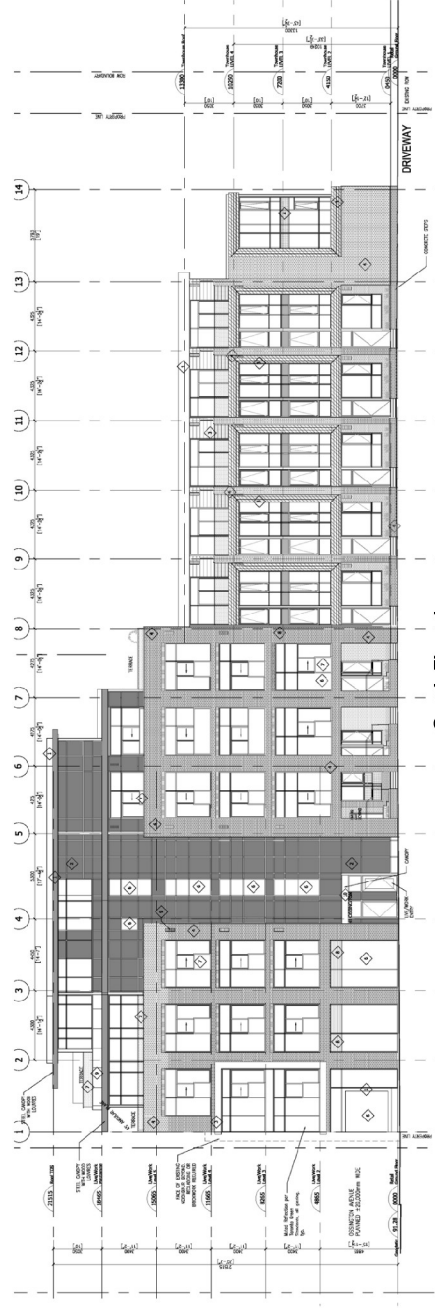
Not to Scale  
 11/22/2011

File # 10 266103 0Z

Attachment 2: North & South Elevation



North Elevation



South Elevation

South Elevation

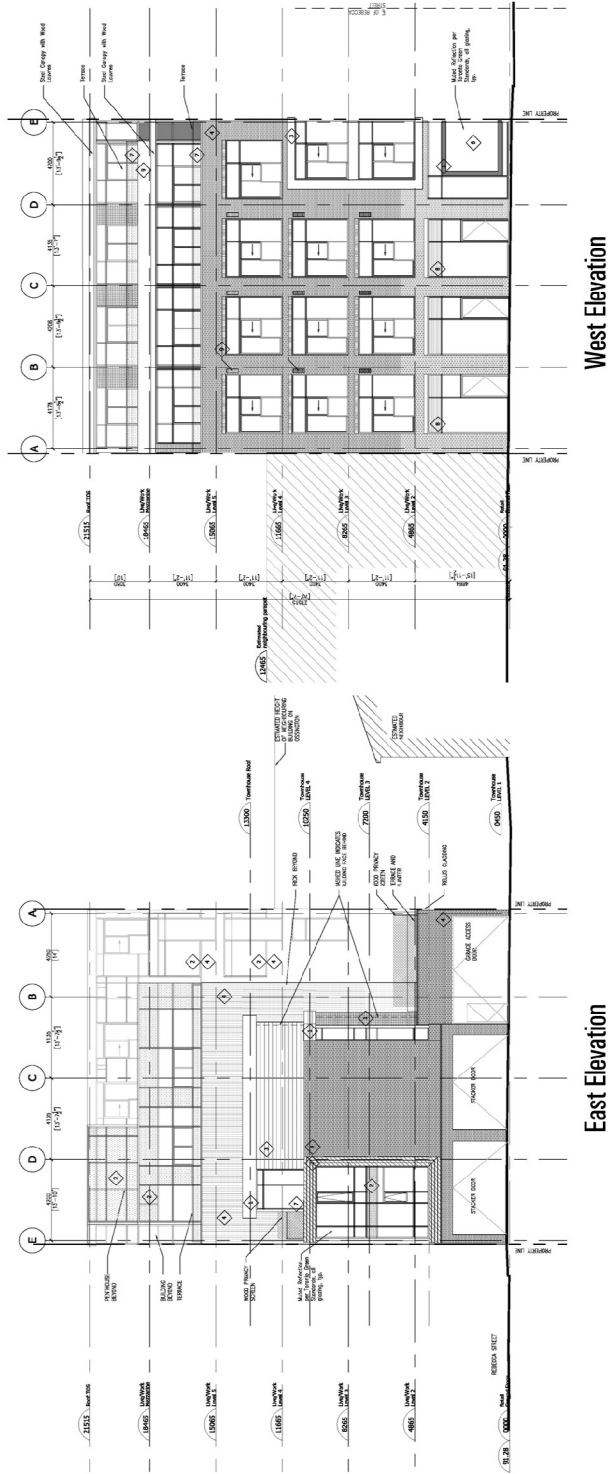
41 Ossington Avenue

Applicant's Submitted Drawing

Not to Scale  
11/22/2011

File # 10 266103 0Z

### Attachment 3: East & West Elevation



### East & West Elevations

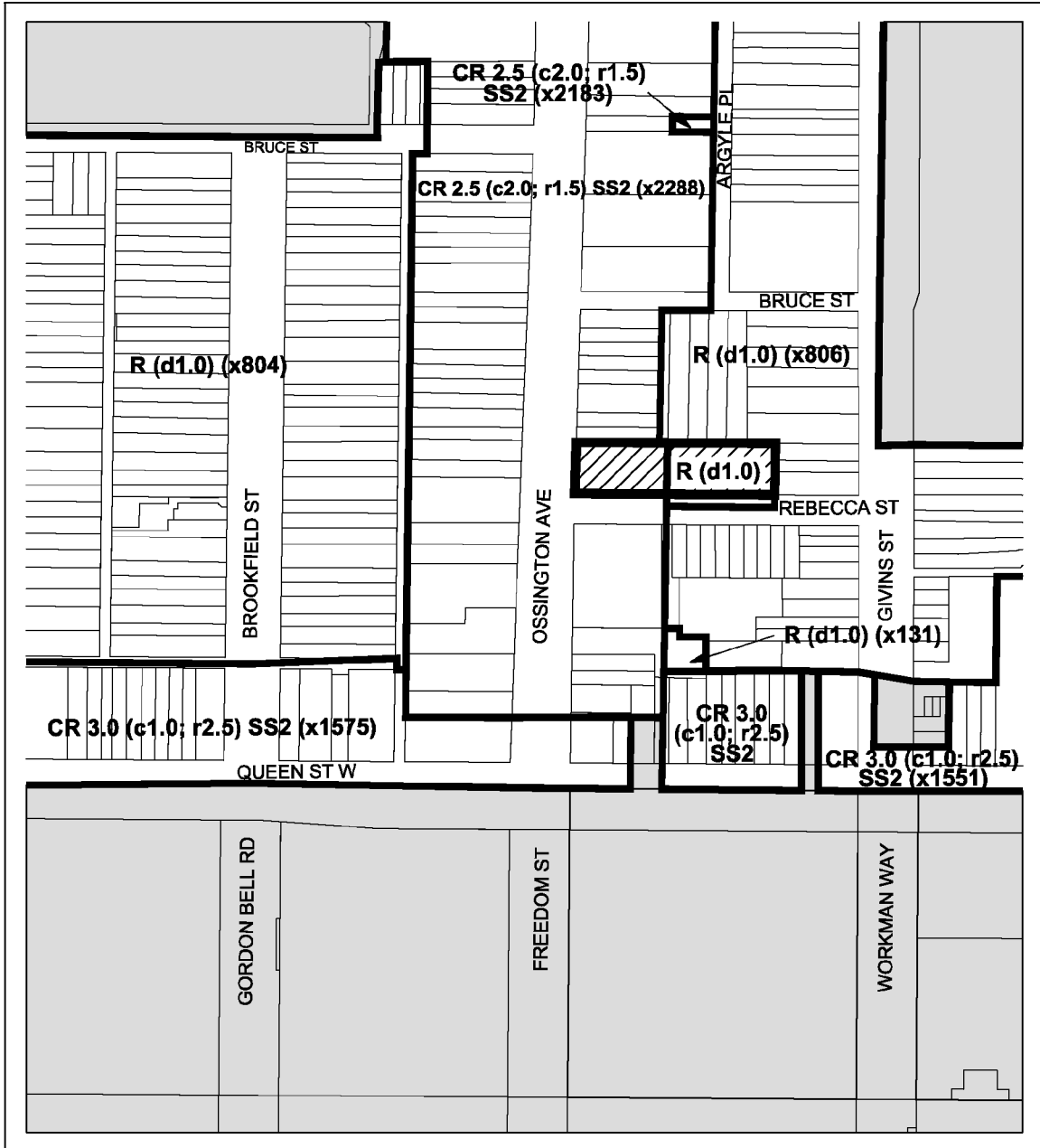
Applicant's Submitted Drawing

Not to Scale  
11/22/2011

### 41 Ossington Avenue

File # 10 266103 0Z

Attachment 4: Zoning Map



**TORONTO** City Planning  
Zoning

41 Ossington Avenue  
File # 10 266103

Not Part of By-Law 1156-2010  
R Residential  
CR Commercial Residential

City of Toronto By-Law 1156-2010  
Not to Scale  
11/17/10



## Attachment 5: Application Data Sheet

Application Type      Rezoning      Application Number:    10 266103 STE 19 OZ  
 Details                Rezoning, Standard      Application Date:        September 27, 2010  
 Municipal Address:    41 Ossington Ave  
 Location Description: PLAN D203 PT LOT 2 \*\*GRID S1906  
 Project Description:    Rezoning application for mixed use building containing commercial at grade. This application proposes to redevelop the property at 41 Ossington Avenue with a 6 storey condominium, having ground floor retail, fronting Ossington Avenue and nine four-storey townhouse units fronting Rebecca Street. Please see 10 266096 STE for Site Plan Approval Application. Revisions – Revised-The unit count has increased to 28 (23 apartments suites and 5 townhouses), with 21 parking spaces, 16 spaces accommodated in 2 parking stackers located in the middle and east portion of the townhouses.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Armstrong Hunter & Associates		Raw Design	Jolage Limited

### Planning Controls

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R4 Z1.0 CR T2.5 C2.0 R1.5	Historical Status:
Height Limit (m):	14, 10	Site Plan Control Area:    Y

### Project Information

Site Area (sq. m):	1098	Height:	Storeys:	6	
Frontage (m):	17.13		Metres:	21.5	
Depth (m):	64.56				
Total Ground Floor Area (sq. m):	0				Total
Total Residential GFA (sq. m):	3093.8		Parking Spaces:	21	
Total Non-Residential GFA (sq. m):	242.2		Loading Docks	0	
Total GFA (sq. m):	3,336				
Lot Coverage Ratio (%):	0				
Floor Space Index:	3.0				

### Dwelling Units

#### Floor Area Breakdown (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	3093.8	0
Bachelor:	0	Retail GFA (sq. m):	242.2	0
1 Bedroom:	15	Office GFA (sq. m):	0	0
2 Bedroom:	8	Industrial GFA (sq. m):	0	0
3 + Bedroom:	5	Institutional/Other GFA (sq. m):	0	0
Total Units:	28			

<b>Contact:</b>	<b>Planner Name:</b>	<b>Francis Kwashie, Planner</b>
	<b>Telephone:</b>	<b>416-392-1306</b>