

## **19-21 Ossington Avenue and 19 Rebecca Street – Zoning By-law Amendment Application – Decision Report – Approval**

Date: October 26, 2023

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Wards: Ward 10 - Spadina-Fort York

**Planning Application Number:** 13 146061 STE 19 OZ

**Related Applications:** 12 151974 STE 19 SA

### **SUMMARY**

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This application proposes to introduce the site into the City of Toronto Zoning By-law 569-2013, and to modify the range of permitted uses on the site at 19-21 Ossington Avenue and 19 Rebecca Street to legalize an existing 16-space commercial surface parking lot. No physical changes to the existing building are proposed.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Zoning By-law. Currently, the site is regulated by former City of Toronto Zoning By-law 438-86, as amended. Introducing the site into City of Toronto Zoning By-law 569-2013 will ensure the property is regulated by the most current Zoning By-law while expanding the range of permitted uses to allow for the existing commercial parking lot.

### **RECOMMENDATIONS**

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The Director, Community Planning Toronto and East York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 19-21 Ossington and 19 Rebecca Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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On April 8, 2013 a Zoning By-law Amendment application was submitted for the lands at 19-21 Ossington Avenue and 19 Rebecca Street. The application was deemed complete on May 15, 2013 and a Notice of Complete Application was provided to the applicant.

On June 18, 2013 Toronto and East York Community Council adopted a item TE25.58 "Preliminary Report - 19-21 Ossington Avenue and 19 Rebecca Street - Zoning Amendment Application" with a recommendation directing staff to schedule a Community Consultation meeting for the site to be hosted together with the Ward Councillor. The Preliminary Report and Community Council's decision are available at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2013.TE25.58>

Staff conducted a Community Consultation Meeting for the application on September 17, 2013. Community consultation is summarized in the Comments section of this Report.

This site is also currently subject to ongoing litigation regarding the issuance of a business license for the commercial parking. Approval of this application will help to resolve this proceeding due to the legalization of the existing parking and the ability to then issue a business license for the facility.

## **PROPOSAL**

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The application proposes to legalize a surface parking lot currently being used for commercial parking purposes with 16 vehicular parking spaces. The parking spaces are located on the property municipally known as 19 Rebecca Street, which is adjacent to and east of 19-21 Ossington Avenue. The portion of the site used as a commercial parking lot is separated from the adjacent rear yards of residential properties surround the vehicular parking spaces by a fence. The existing access to the parking lot is from a two-way driveway from Ossington Avenue. In addition, there is an existing one-way driveway leading out of the parking lot to Rebecca Street.

An existing two-storey building located on the lot, known as Queen West Self Storage, is used for storage purposes. The storage building and its own required parking are permitted uses. No other change in use or built form are proposed for the site. Refer to Attachment No. 1 for project data.

The site is located north of Queen Street West at the intersection of Ossington Avenue and Rebecca Street. The total lot area is 2411.3 square metres with a lot frontage of 45.08 metres along Ossington Avenue and an lot depth of 69.80 metres. The existing two-storey building fronts on Ossington Avenue and Rebecca Street, has a height of eight metres, has a total non-residential gross floor area of 2079.78 square metres used for storage, and is accessible from Ossington Avenue. The lot includes 6 existing vehicular parking spaces for the storage building.

### **Reasons for Application**

The proposed commercial parking lot at 19 Rebecca Street is within a residential district (R4 Z1.0) in the former City of Toronto Zoning Bylaw 438-86. This portion of the site is also not zoned under the City of Toronto Zoning By-law 569-2013. The proposed commercial parking lot use is not permitted within the Residential district in the former City of Toronto Zoning By-law and would also not be permitted in the Residential Zone for Zoning By-law 569-2013.

A Zoning By-law Amendment is therefore required to bring the site in the City of Toronto Zoning By-law 569-2013 and to allow for the commercial parking lot use in the Residential zone.

## **APPLICATION BACKGROUND**

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### **Application Requirements**

The following reports/studies were submitted in support of the application:

- Arborist Report
- Architectural Plans
- Civil and Utilities Plans
- Cover Letter
- Detailed Revision List
- Draft Zoning By-law Amendment
- Landscape and Lighting Plan
- Traffic and Noise Study
- Site Grading and Drainage Plan
- Stormwater Management Plan
- Traffic Operations Assessment
- Tree Preservation Plan

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

## **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **POLICY & REGULATION CONSIDERATIONS**

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### **Provincial Land-Use Policies**

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe.

### **Official Plan**

The site has a split land use designation. The west (front) half of the site, fronting Ossington Avenue, is designated Mixed Use Areas. The east (rear) half of the site is designated Neighbourhoods. See Attachment 3 of this report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **Site and Area Specific Policy 156**

SASP 156 applies to the site which permits a limited range of light industrial uses that are compatible with residential uses.

### **Zoning**

The subject site is not currently zoned under Zoning By-law 569-2013. The site has split zoning in the City of Toronto's Zoning Bylaw 438-86, as amended. The west (front) half of the site, fronting Ossington Avenue, is zoned CR T2.5 C2.0 R1.5. The CR Zone allows for a mixed of commercial and residential uses. The east (rear) half of the site, where the vehicular parking spaces are located, is zoned R4 Z1.0. This R Zone permits primarily low-rise residential homes.

### **Design Guidelines**

The following design guidelines have been used in the evaluation of this application:

- 'Greening' Surface Parking Lots - Design Guidelines

## **Toronto Green Standard**

The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

## **Additional Information**

See Attachments 1-6 of this report for the Application Data Sheet, site plan, and additional information on the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-details/?id=3329079&pid=181072>

## **Site Plan Control**

The proposal is subject to Site Plan Control. The applicant submitted a site plan application (12 151974 STE 19 SA), which is being reviewed concurrently with the zoning bylaw amendment application.

## **COMMENTS**

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### **Provincial Policy Statement and Provincial Plans**

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

### **Land Use**

This application has been reviewed against the official plan policies described in the Policy and Regulation Considerations Section of the Report as well as the policies of the Official Plan as a whole. While commercial parking lots are not currently a permitted use in lands designated Neighbourhoods, there are a number Toronto Parking Authority commercial parking lots located within the Neighbourhoods designation. These commercial parking lots are typically located in proximity to Mixed Use Areas and have buffers, such as landscaping, to mitigate negative impacts on adjacent properties.

The existing commercial parking lot on this site is located immediately adjacent to the Mixed Use Areas land fronting onto Ossington Avenue, and is viewed as an acceptable land use in this instance and at this small scale given its proximity to Mixed Use Areas, existing status, and the surrounding precedents. Through the development review process, the application has been revised to incorporate a 1.5 m landscape buffer strip along all property lines, which will include fencing and a rain garden with drainage, in order to direct storm water into the water garden to help mitigate impacts.

As the proposed use already exists on the site, and there are additional steps being taken to improve the conditions and mitigate potential impacts on surrounding properties, staff are of the opinion that this is an appropriate use and meets the intent of the Official Plan.

### **Traffic Impact, Access, Parking**

A total of 16 surface commercial parking spaces are proposed to be legalized through this application. The Zoning By-law does not require a minimum number of parking spaces to serve the site. As these spaces are currently existing, additional impacts are not anticipated and the parking supply is acceptable.

The existing two-way driveway on Ossington Avenue and the one-way exit driveway onto Rebecca Avenue will be maintained and are acceptable for site access. The layout of the parking lot is also acceptable.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The application proposes to injure three privately owned trees (trees 2-4) to facilitate the installation of the landscape buffer and permeable parking lot surface.

As part of the Site Plan Approval process, the applicant is required to provide a revised Arborist Report and Tree Preservation Plan that specify stages tree protection hoarding at trees 2-4, minimizing any impacts on these existing trees.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval process.

### **Community Consultation**

A Community Consultation Meeting for the application was hosted by City Planning in conjunction with the local Ward Councillor on September 17, 2013. The meeting was attended by 2 residents.

Comments provided at the meeting were related to potential privacy and noise impacts from cars utilizing the parking lot late at night, access to the site, and dust and drainage

issues created by stormwater runoff. Issues raised through the community consultation have been considered in the review of the application and the associated site plan application.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Official Plan. Staff worked with the applicant and the community to address and resolve the key concerns related to noise impacts and stormwater runoff. As the proposed use is an existing condition, and steps are being taken to further improve the site, Staff recommend that Council approve the application.

## **CONTACT**

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Patrick Miller, Planner, Community Planning, Tel. No. 416-338-3002, E-mail: [Patrick.Miller@toronto.ca](mailto:Patrick.Miller@toronto.ca)

## **SIGNATURE**

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Carly Bowman, M.Sc.Pl., MCIP, RPP,  
Director Community Planning,  
Toronto and East York District

## **ATTACHMENTS**

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City of Toronto Data/Drawings  
Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map  
Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings  
Attachment 6: Site Plan

## Attachment 1: Application Data Sheet

Application Type: Rezoning  
 Details: Rezoning, Standard  
 Application Number: 13 146061 STE 19 OZ  
 Application Date: April 8, 2013

Municipal Address: 19-21 OSSINGTON AVENUE and 19 REBECCA STREET  
 Location Description: \*\*GRID S1906  
 Project Description: The City has received a Zoning Bylaw Amendment application to amend Zoning Bylaw 438-86, as amended, to permit a 16-space commercial surface parking lot in a residential district. Application is also subject to Site Plan Control (file no. 12-151974).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Memar Consultants Inc. Suite 503, 2323 Yonge Street Toronto ON M4P 2C9	Memar Consultants Inc. Suite 503, 2323 Yonge Street Toronto ON M4P 2C9	Memar Consultants Inc. Suite 503, 2323 Yonge Street Toronto ON M4P 2C9	Harvet Enterprises Limited 337 Banbury Road Toronto ON M2L 2V2

### PLANNING CONTROLS

Official Plan Designation:	<i>Mixed Use Areas / Neighbourhoods</i>	Site Specific Provision:	156
Zoning:	CR T2.5 C2.0 R1.5 / R4 Z1.0	Historical Status:	N
Height Limit (m):	14m and 10m	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	2411.3	Height: Storeys:	2 (existing storage building)
Frontage (m):	45.08	Metres:	8m
Depth (m):	69.8		
Total Ground Floor Area (sq. m):	1039.89		
Total Residential GFA (sq. m):	0	Parking Spaces:	<b>Total</b> 22 (16 spaces proposed, 6 spaces permitted for existing storage building)
Total Non-Residential GFA (sq. m):	2079.78	Loading Docks	0
Total GFA (sq. m):	2079.78		
Lot Coverage Ratio (%):	43		
Floor Space Index:	0.86		

### DWELLING UNITS

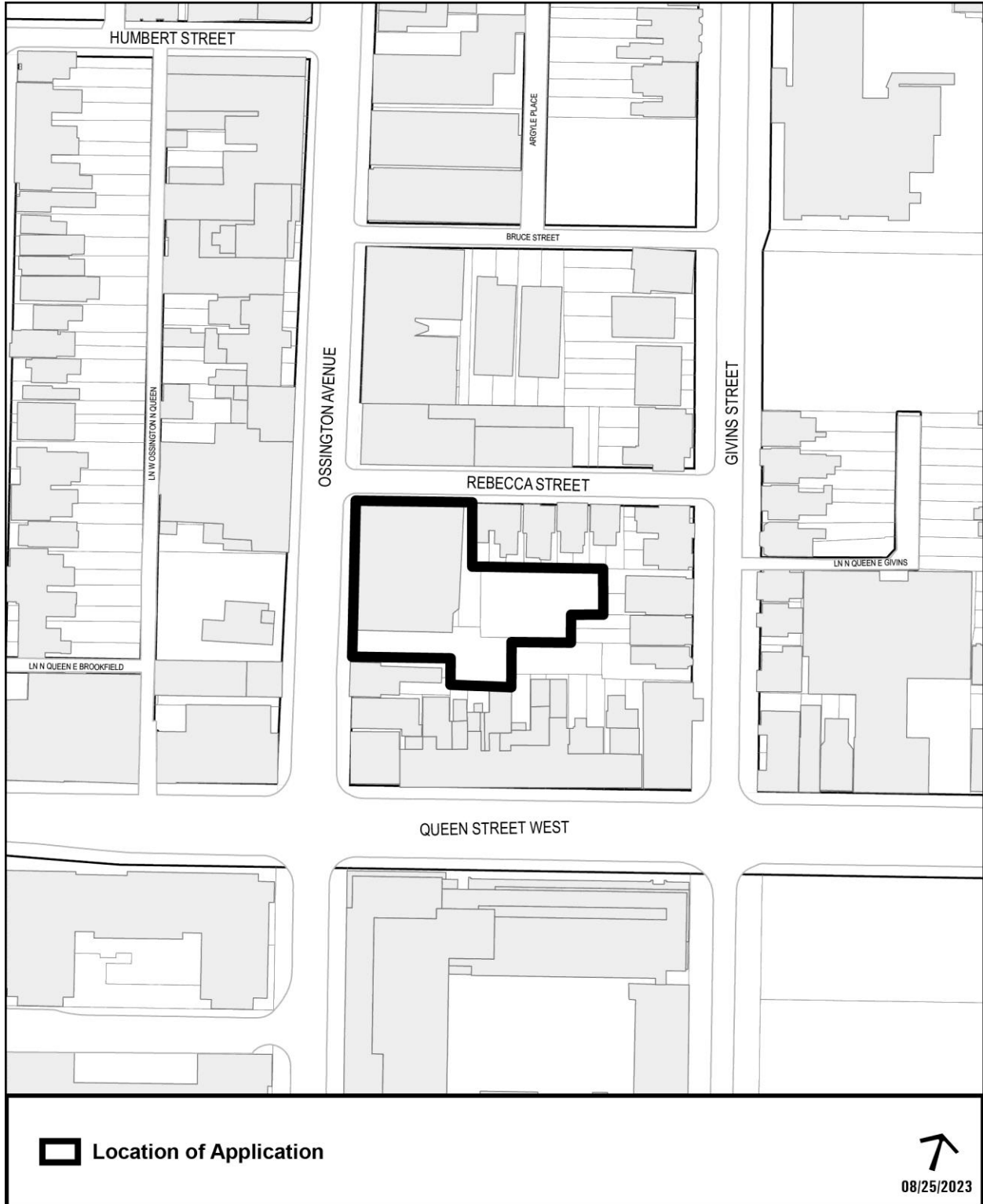
### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	2079.78	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

**CONTACT: PLANNER NAME: Patrick Miller, Planner**  
**CONTACT: Tel: 416-338-3002 Email: Patrick.Miller@toronto.ca**



Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #18

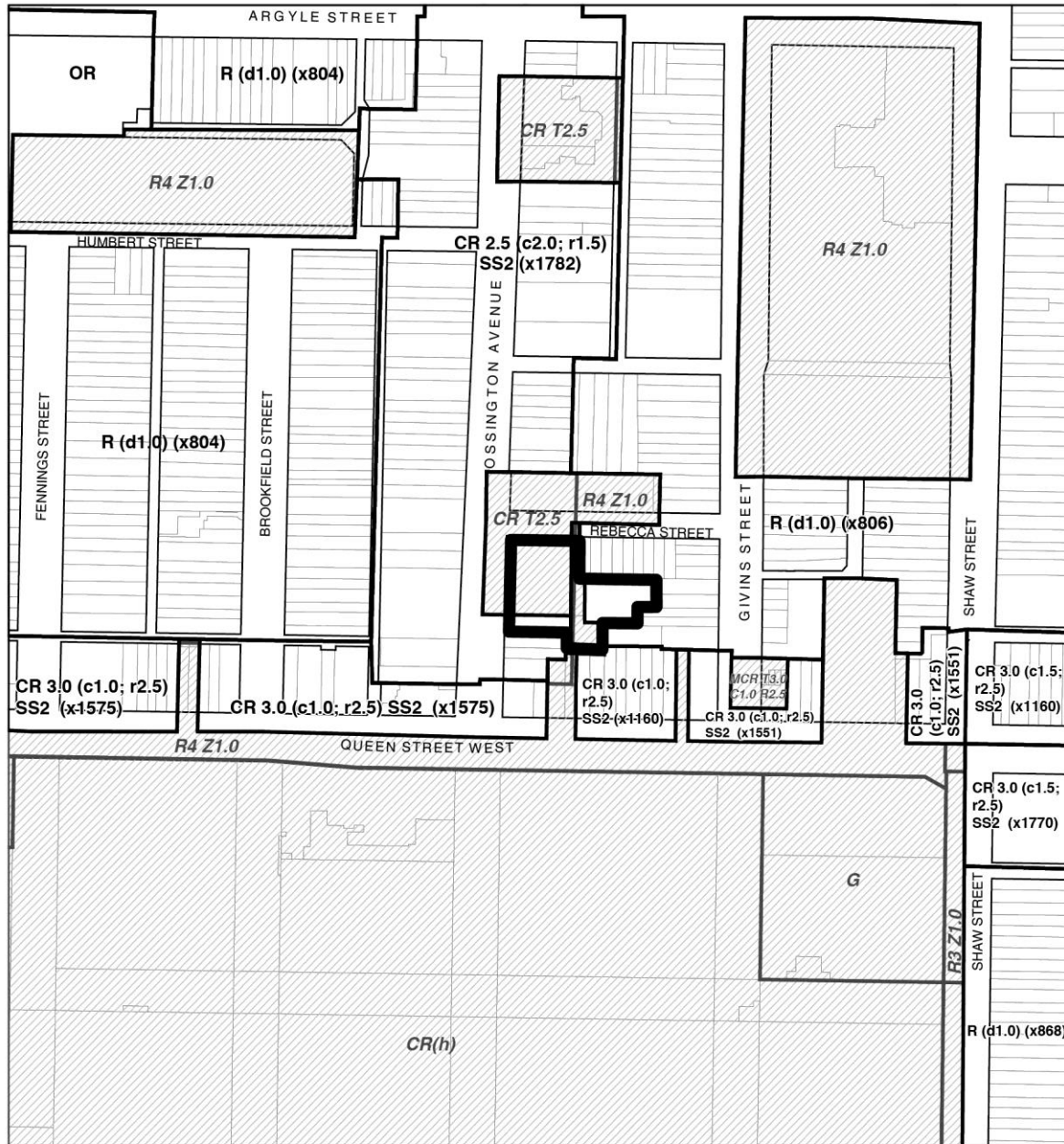
19-21 Ossington Avenue

File # 13 146061 STE 19 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks
-  Institutional Areas

  
 Not to Scale  
 Extracted: 08/25/2023

# Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

19-21 Ossington Avenue

File # 13 146061 STE 19 0Z

-  Location of Application
- R** Residential
- CR** Commercial Residential
- OR** Open Space Recreation

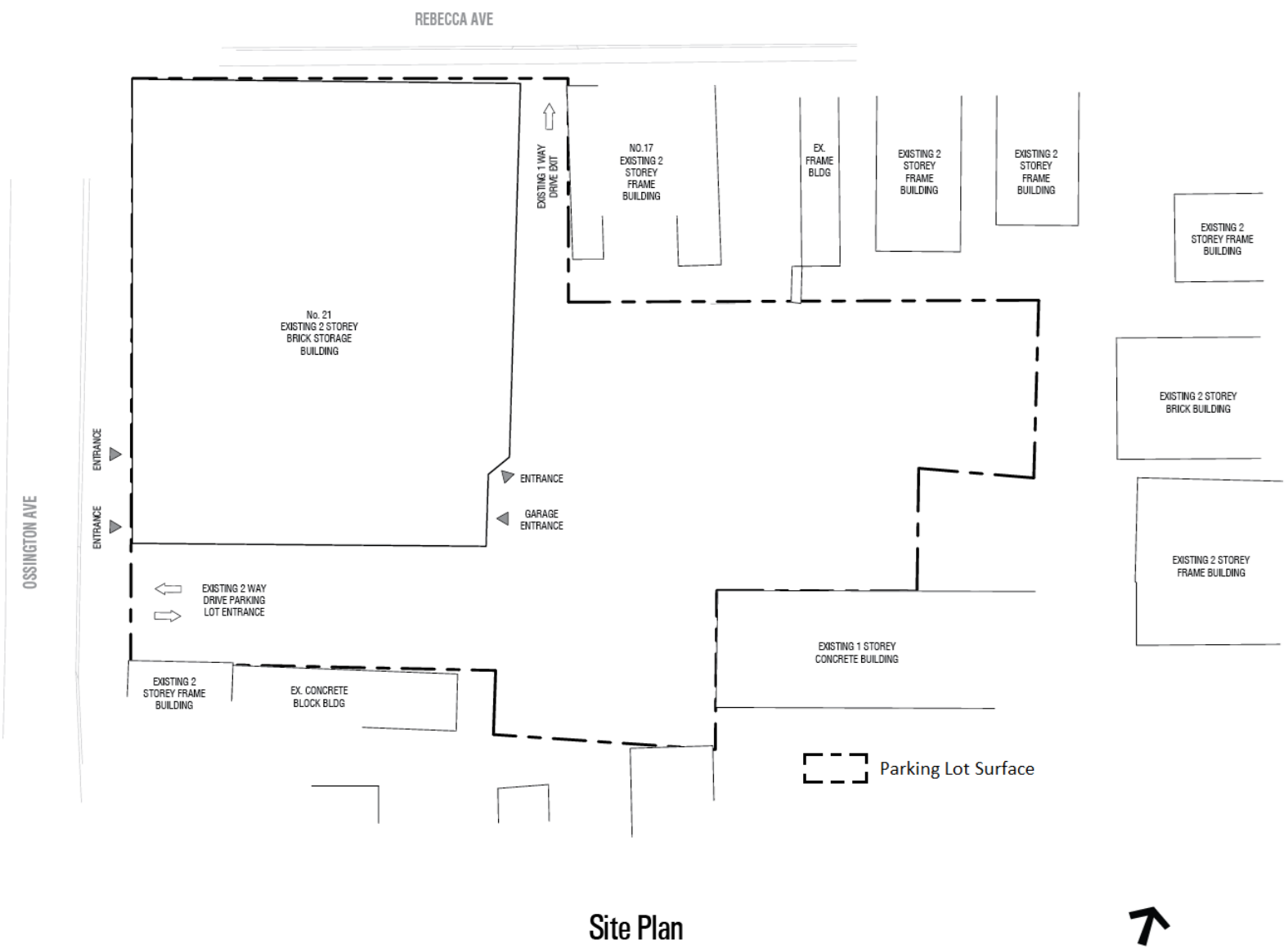
-  See Former City of Toronto By-law No. 438-86
- R4** Residential District
- MCR** Mixed-Use District
- G** Parks District



Not to Scale  
Extracted: 08/23/2023

Attachment 5: Draft Zoning By-law Amendment

Draft Zoning By-law Amendment to be provided on or before November 15, 2023.



Site Plan