

## **5, 6 and 9 Jopling Avenue South – Zoning By-law Amendment – Decision Report – Approval**

Date: August 30, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 3 - Etobicoke-Lakeshore

**Planning Application Number:** 22 194681 WET 03 OZ

### **SUMMARY**

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This application proposes to amend the Zoning By-law to permit a 39-storey mixed-use development consisting of 434 dwelling units and 250 square metres of retail space on the ground floor at 5, 7 and 9 Jopling Avenue South. The total proposed gross floor area is 26,990 square metres.

The proposed mixed-use building represents a level of intensification that can be supported within the Etobicoke Centre as its tall building form is compatible with the existing and planned context, and it is very close to the Kipling Transit Hub.

### **RECOMMENDATIONS**

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The Director, Community Planning, Etobicoke York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands 5, 7 and 9 Jopling Avenue South substantially-in-accordance with the draft Zoning By-law Amendment attached as Attachment 7 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.
3. Before introducing the necessary Bill to City Council for enactment, City Council require the owner to:
  - a. provide an acceptable Tenant Relocation and Assistance Plan for tenants of the existing one rental dwelling unit proposed to be demolished, addressing financial compensation and other assistance to lessen hardship, satisfactory to the Chief Planner and Executive Director, City Planning; and

- b. provide a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, to secure the implementation of the Tenant Relocation and Assistance Plan required in Part 3.
- a. above.

4. City Council request the Chief Planner and Executive Director, City Planning to secure the following as conditions in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning:

- a. Prior to Site Plan Control approval, the owner must provide a Functional Servicing Report that is acceptable to the Chief Engineer and Executive Director Engineering and Construction Services;
- b. Prior to Site Plan Control approval, the owner, if applicable, enter into a financially secured agreement with the City, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of improvements, as identified in the Functional Servicing Report, that may be required to the City's storm, sanitary and sewer infrastructure;
- c. Prior to Site Plan Control approval, if applicable, the owner must obtain all necessary approvals to proceed with the required improvements, as described above have been issued, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
- d. Prior to the issuance of full building permit, the owner must complete the construct all required improvements, as noted in the accepted Functional Servicing Report, if required, and ensure they are operational.

## **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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A Pre-application Consultation (PAC) meeting was held on October 29, 2019. The current application was submitted on August 30, 2022 and deemed complete as of November 24, 2022. Staff conducted a Community Consultation Meeting for the application on July 26, 2023. Community consultation is summarized in the Comments section of this report.

## PROPOSAL

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### Application Description

The application proposes to add the site to city-wide Zoning By-law 569-2013 and establish site-specific performance standards to permit a 39-storey mixed-use development at 5, 7 and 9 Jopling Avenue South. The proposed building is 119.35 metres in height (excluding a 6.5-metre mechanical penthouse) and has a four-storey street wall (16.3 metres). The proposal consists of 434 dwelling units, 26,990 square metres of residential gross floor area and 250 square metres of non-residential gross floor area.

The 434 residential units would be comprised of 34 studio units (8%); 280 one-bedroom units (64%); 78 two-bedroom units (18%); and 42 three-bedroom units (10%). A total of 868 square metres of indoor amenity space (two square metres per unit) and 868 square metres of outdoor amenity space (two square metres per unit) are proposed.

The base building would have a four-storey (16.3-metre) streetwall along Jopling Avenue South and the future public street located along the south (to be provided through the abutting development proposal at 5230 Dundas Street West).

The tower portion of the building would be stepped-back from the base building by three metres from Jopling Avenue South and about two-thirds of the tower main wall on the south side would be stepped-back three metres from the base building. This would result in a tower setback of three metres from Jopling Avenue South, six metres from the proposed street for the majority of the south tower main wall, 12.5 metres from the east property line, and 5.5 metres from the north property line, abutting lands designated for mid-rise development. The proposed tower floorplate is 738 square metres.

The main residential pedestrian entrance would be from Jopling Avenue South on the west side of the building. There are three proposed pedestrian retail entrances, one at the south edge of the Jopling Avenue South frontage and two from the future public street on the south.

The proposed vehicular access is located in the northern portion of the Jopling Avenue South frontage. The garage door on the western façade of the building would provide access to a Type G loading space and the ramp to one level of underground parking containing bicycle storage and 25 vehicular parking spaces. Of the proposed 25 parking spaces, 17 would be for residents, six would be for visitors and two would be for the non-residential space. The proposal would provide at least one accessible parking space. A total of 329 bicycle parking spaces are proposed, of which 296 are for long-term residential, 31 are for short-term residential, one is for long-term retail, and one is for short-term retail.

The proposed revisions from the original application are summarized as follows:

Detailed project information can be found on the City's Application Information Centre. See Attachment 1 for project data and Attachments 8 and 9 for the proposed site plan and elevations.

### **Site and Surrounding Area**

The site is located east of Jopling Avenue South and south of Bloor Street West. The rectangular-shaped lot is a consolidation of three parcels with a total area of 1581 square metres. The existing three detached dwellings will be demolished. One of the buildings proposed for demolition at 7 Jopling Avenue South contains a two-bedroom rental unit that is currently occupied by a tenant. The site currently has one street frontage along Jopling Avenue South of 48 metres. Through the recent development approval at the abutting site at 5230 Dundas Street West, 3825 Bloor Street West and 0 Beamish Drive (file numbers 21 232816 WET 03 OZ and 21 234095 WET 03 SB), a new 18.5-metre-wide public street will be located abutting the southern property line of this site.

The surrounding land uses include:

**North:** Immediately abutting the site, there is an existing one-storey commercial plaza with surface parking spaces facing Bloor Street West. Across from Bloor Street West are one- to two-storey commercial buildings. Further north is a low-rise residential area with detached houses.

**East:** The site abuts the existing Six Points Plaza to the east and south (5230 Dundas Street West, 3825 Bloor Street West and 0 Beamish Drive), a development which was recently approved by City Council. This site will consist of five buildings including two eight-storey mid-rise portions along Bloor Street West and five towers with heights of 25, 36, 41, 43 and 45 storeys, a 1900 square metre public park and an 18.5-metre-wide public street (file numbers 21 232816 WET 03 OZ and 21 234095 WET 03 SB).

**South:** Further south, past the Six Points Plaza, is the planned focal point of the Etobicoke Centre near the Kipling Transit Hub. The approved residential and mixed-use buildings located south of Dundas Street West will range from 20 to 50 storeys.

**West:** Across from Jopling Avenue South, City Council adopted a Zoning By-law Amendment to permit a residential development with two towers at 27 and 33 storeys and containing community space at the ground level at 8-26 Jopling Avenue South (file 19 252405 WET 03 OZ). Further west is the hydro corridor and a residential neighbourhood.

### **Reasons for Application**

An Official Plan Amendment (OPA) application was originally submitted to amend the Etobicoke Centre Secondary Plan (Secondary Plan) to reduce the parkland dedication requirements for the residential portion of the development site by applying an alternative rate of parkland dedication of 0.4 hectare per 300 units, not exceeding 10% of the development site, instead of providing the 20% parkland dedication as per the Secondary Plan. Through the review of the application and recent changes effected by



the *More Homes Built Faster Act, 2022*, it was determined that the in-force policies of Section 42 of the *Planning Act* would apply as it relates to the parkland dedication requirements, deeming the OPA application unnecessary. See the Comments section below for more details.

This Zoning By-law Amendment application proposes to bring the site into city-wide Zoning By-law 569-2013 and establish site-specific performance standards including building height, gross floor area, building setbacks, amenity space, accessible parking rates, and floorplate requirements.

## **APPLICATION BACKGROUND**

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### **Application Requirements**

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

- Architectural Plans;
- Landscape Plans;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Toronto Green Standard Checklist;
- Community Services and Facilities Study;
- Public Consultation Plan;
- Planning and Urban Design Rationale;
- Block Context Plan;
- Pedestrian Level Wind Study;
- Sun/Shadow Study;
- Heritage Impact Statement;
- Energy Strategy;
- Electromagnetic Field Management Plan;
- Transportation Impact Study;
- Geotechnical Study;
- Hydrogeological Report;
- Functional Servicing Report and Stormwater Management Report;
- Arborist/Tree Protection Report;
- Rental Housing Declaration of Use and Screening Form;
- Air Quality Study; and
- Noise Impact Study.

The material/studies listed above can be accessed via the [Application Information Centre](#).

### **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 in evaluating the application and to formulate appropriate Zoning By-law standards.

## POLICY AND 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, the Greenbelt Plan, and others.

### Official Plan

The Official Plan Urban Structure Map 2 identifies the site as a *Centre*. The land use designation for the site is *Mixed Use Areas*. See Attachment 3 of this report for the Official Plan 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: [Official Plan](#).

The Etobicoke Centre Secondary Plan identifies the site as *Mixed Use Area A* within the Six Points Area, which permits a wide variety of land uses that will be the backbone of achieving the area's vision - an area where residents can live, work, shop and be entertained without relying on an automobile. The Etobicoke Centre Secondary Plan can be found here: [Etobicoke Centre Secondary Plan](#).

### Site and Area Specific Policy 626

Official Plan Amendment 570 (By-law 889-2022), which was approved by City Council on July 19, 2022, and is now awaiting approval by the Ministry of Municipal Affairs and Housing, establishes 57 new Protected Major Transit Station Areas (PMTSA) through Site and Area-Specific Policies. Within OPA 570, SASP 626 delineates a PMTSA around Kipling Station, including the subject site, and provides minimum density provisions for new development. This PMTSA is targeted to provide a minimum 300 residents and jobs combined per hectare. The minimum density (floor space index) for the subject site is two times the lot area.

### Zoning

The site is zoned Etobicoke Centre 2 (EC2) in the Etobicoke Zoning Code, as amended by the Etobicoke Centre By-law 1088-2002. The EC2 zone permits a wide range of residential and non-residential uses. The maximum building height permitted is 60 metres and the maximum floor space index permitted is 3.5 times the area of the lot. In the EC2 zone, a minimum of 25% of the site area is required to be reserved for landscaped open space. The Etobicoke Zoning Code also provides a number of performance standards including maximum base building height, minimum and maximum building setbacks and maximum tower floorplate size.

City-wide Zoning By-law 569-2013 does not apply to this site as a site-specific zoning is in place; however, by way of this development application, the lands are to be brought into Zoning By-law 569-2013.

## **Design Guidelines**

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

- Etobicoke Centre Urban Design Guidelines;
- Etobicoke Centre Public Space and Streetscape Plan;
- Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities;
- Toronto Green Standard; and
- Bird-Friendly Development Guidelines.

## **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.

## **Site Plan Control**

The application is subject to Site Plan Control. The Site Plan Control application was submitted on April 27, 2023 (File number 23 138662 WET 03 SA). Specific details and design requirements of the proposal will be reviewed further through the Site Plan Control application process.

## **COMMENTS**

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

Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff are of the opinion that the proposal is consistent with the PPS and that it conforms with the Growth Plan.

### **Land Use**

This application has been reviewed against the Official Plan policies and Etobicoke Centre Secondary Plan policies described in the Policy and Regulation Considerations section of this report.

The proposal was revised from the original concept by adding a 250 square metres of non-residential space on the ground floor. The proposed mixed-use building is consistent with the *Mixed Use Area A* designation within the Etobicoke Centre Secondary Plan.

### **Density, Height, Massing**

The Official Plan requires tall buildings to be comprised of three parts: a base building, a tower, and a tower top, all to be carefully integrated into a single whole. The tower portion of the building would be placed towards the southern end of the property with

appropriate step-backs which provide transition in scale to minimize impacts to the adjacent Neighbourhoods. The proposal meets the intent of the performance standards for a tall building and minimizes its impact on the surrounding public realm and the nearby low-rise neighbourhoods.

The proposed base building provides a comfortable streetwall proportion of four storeys (16.3 metres) along both street frontages of Jopling Avenue South and future public street to the south. A limited portion of the base building internal to the site steps up to six storeys where there is minimal impact on the public realm while accommodating additional larger units in proximity to the proposed amenity spaces. The proposed ground floor height is six metres, which is satisfactory.

The tower floorplate would be 738 square metres, which achieves a slender point tower form with sufficient setbacks to the adjacent existing and planned context. The tower would be set back 12.5 metres from the east property line, achieving a minimum 25-metre tower separation from nearest tower on the abutting property recently approved at 5230 Dundas Street West. The proposed 5.5-metre setback to the north property line is sufficient as it is consistent with the current in-force zoning requirement and given the *Mixed-Use Area B* designation and planned mid-rise context for the site located along Bloor Street West.

The proposed height of 39 storeys is generally supportable with the vision set out in the Etobicoke Centre Secondary Plan for the Six Points area. The area is planned for a high-density mixed-use neighbourhood, benefiting from transit investments in the area, including nearby higher order transit facilities, with less substantial heights permitted north of Dundas Street West in closer proximity to the planned main street along Bloor Street West and the lower density development to the north. The proposed height generally adheres to the planned transition in height given the proposed height is 7.25 metres less than the approved 41-storey (126.6 metres) building immediately south of the future public street at 5230 Dundas Street West. Additionally, the recently approved buildings further south, in closer proximity to the focal point, are in the 40- to 50-storey range, demonstrating a general transition down in height towards the main street and residential neighbourhood north of Bloor Street West. The slender tower massing is designed to minimize the adverse shadow and wind impacts on the public realm and permit improved access to sky-view and daylight between buildings.

### **Sun, Shadow, Wind**

The Official Plan requires new development to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The Secondary Plan further requires tall building proposals to minimize adverse shadow impacts on adjacent streets and neighbouring private properties.

The applicant submitted Sun/Shadow and Pedestrian Level Wind studies to support the proposal. The applicant's shadow study illustrates that during the spring and fall equinoxes, the proposed height increase above the as-of-right tower height on the site. The incremental shadow impacts on the north side of Bloor Street West from 12:18 p.m. until 4:18 p.m., the future Etobicoke Greenway within the hydro corridor in the early

morning from 9:18 to 10:18 a.m., and on the planned linear park in Block 5 of the Housing Now site at Bloor Street West and Kipling Avenue at 5:18 p.m. and 6:18 p.m. However, considering the tower size, shape and separation distances that contribute to shadow impact, the shape of the shadow is very slender. In June, during the summer solstice, the proposed building would not have any shadow impacts on the north side of Bloor Street West and limited impact in the surrounding public realm. The resulting sun and shadow conditions on nearby streets and public realm have been adequately minimized while still allowing appropriate intensification within the Etobicoke Centre.

The Official Plan and Etobicoke Centre Secondary Plan policies require tall building proposals to minimize negative wind impacts on adjacent streets and surrounding areas. The Pedestrian Level Wind Study submitted by Gradient Wind Engineering Inc. and subsequent addendum for the revised design concludes that the future wind conditions over the wind-sensitive areas within and surrounding the site will be acceptable for the intended use on a seasonal basis.

The increased tower setback from the base building and the provision of weather protection canopies above the first storey would help improve pedestrian wind comfort at grade along the future public street. Additional wind mitigation measures such as canopies, wind screens and overhead protection will be secured through the review of the Site Plan Control application.

### **Amenity Space**

The current proposal is proposing two square metres of indoor amenity space and two square metres of outdoor amenity space per unit. Staff recommend securing this minimum amenity space requirement through the draft Zoning By-law attached to this report. Through the Site Plan Control application review process, details on the specific locations and layout of the amenity space will be reviewed further.

Given the current rise in dog-owning populations, the applicant was instructed to provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs as this would also help alleviate pressure on existing parks. A pet wash station, pet-relief area and dog run have been incorporated into the proposed tower and has been reviewed by staff. Additional pet-friendly design requirements will be considered in the Site Plan Control application.

### **Transportation Impact, Access, Parking and Loading**

The applicant submitted a Transportation Impact Study ("TIS") prepared by WSP. Vehicular and loading access to the proposed building would be located on the north side of the Jopling Avenue South frontage. A total of 25 vehicular parking spaces would be located within the one-level underground garage, of which 19 are for residents, six are for residential visitors and two are for retail use. One of parking spaces is proposed as accessible parking. A total of 305 bicycle parking spaces are proposed within the underground garage, ground floor and second floor. Loading space consists of one Type G.

The site is located approximately 500 metres walking distance from the recently enhanced Kipling Transit Hub with access to the TTC Kipling Station, Kipling GO Station, and Kipling Bus Terminal. The Dundas Bus Rapid Transit is also proposed to connect to the Kipling Transit Hub in the future. The site is also situated in an area close to several separated cycle tracks along Bloor Street West and Dundas Street West. Initiatives such as the Etobicoke Greenway project and the Bloor Street West cycle tracks will further expand cycling connections.

Transportation Services and Transportation Planning staff have reviewed the study and supportive material, and have determined that traffic impacts, vehicular access and the parking proposed are generally acceptable. The specific layout and design of the vehicular and bicycle parking will be further reviewed and secured through the Site Plan Control application review process.

### **Streetscape**

The proposal has been designed to incorporate appropriate setbacks and stepping down of heights along all existing and planned street frontages. Additionally, the proposed building design will help to frame the abutting public streets to ensure an attractive, comfortable pedestrian environment with adequate site access, ground floor animation, and pedestrian and vehicular circulation. Additional streetscape and ground floor design details will be secured through the Site Plan Control application.

### **Servicing**

The applicant submitted a Functional Servicing and Stormwater Management Report prepared by WSP, and a Preliminary Geotechnical and Hydrogeological Study prepared by DS Consultants Limited, in support of the planning application. These reports evaluated existing subsurface conditions and the effects of the development on the City's municipal servicing infrastructure and watercourses and provided rationale for any possible new infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development.

City Engineering and Construction Services staff have reviewed these reports and determined that there is sufficient infrastructure capacity to service the proposed development. Additionally, site-specific improvements and connections to municipal infrastructure will be further reviewed and refined through the Site Plan Control application process.

### **Housing Issues**

Of the 434 residential dwelling units proposed, 34 (eight percent) would be studio units, 280 (64 percent) would be one-bedroom units, 78 (18 percent) would be two-bedroom units, and 42 (10 percent) would be three-bedroom units. The proposed unit mix adequately support the unit mix objectives of the Growing Up Guidelines, the Official Plan housing policies, and the Growth Plan's growth management and housing policies, which speak to accommodating within new development a broad range of households, including families with children. The draft Zoning By-law attached to this report

recommends securing a minimum of 15 percent of the units as two-bedrooms and minimum ten percent of the units as three or more bedrooms.

### **Rental Housing Demolition**

Since the proposed development would require the demolition of one rental dwelling unit, Policy 3.2.1.12 of the Official Plan applies to this proposal and the applicant is required to provide an acceptable tenant relocation and assistance plan to lessen hardship for existing tenants. The plan would assist tenants in finding and securing alternative accommodation and consist of the following:

- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equal to three months' rent or an alternative unit acceptable to the tenant, as required under the *Residential Tenancies Act, 2006* when a tenant receives a notice of termination to terminate their tenancy for the purposes of demolition;
- Additional financial compensation, above and beyond the requirements of the *Residential Tenancies Act, 2006*, in the form of a rent gap payment. The rent gap payment would assist tenants in transitioning to market rents and be paid out to each tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- A moving allowance to cover expenses for moving into alternative accommodation;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to provide tenants with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with tenant needs.

The tenant relocation and assistance plan is consistent with the City's current practices and will support tenants in continuing to access and afford accommodation within the neighbourhood. City Planning staff are not able to secure the tenant assistance within the Site Plan Control process. However, as a condition of approval for the Zoning By-law Amendment application, the applicant must provide an adequate tenant assistance plan for the existing tenants to the satisfaction of City Planning prior to the zoning being enacted, which will be secured through a legal undertaking by the owner.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with zero to four square metres of local parkland per person, which is well below the city-wide average of 28 square metres of parkland per person.

The site is approximately 285 metres away from Six Points Park, a 3877 square metre park which contains an amphitheater, a playground, and a splash/spray pad.

### **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 applicant submitted an Arborist Report, a Landscape Plan, and Soil Volume Plan both prepared by Land Art Design Landscape Architects. The Arborist Report indicates that the proposal would result in the removal of six private by-law protected trees and one City-owned tree. As a result, 14 replacement trees are required on the private property and one is required within the City right-of-way.

The submitted documentation was reviewed and approved by Urban Forestry staff. Staff have recommended that given the site constraints, it would be acceptable to have a minimum eight replacement trees planted on private land with the remaining being provided as cash in lieu. Additionally, one City tree will be replaced and additional opportunity for street trees will be identified through the Site Plan Control process.

### **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 such as cycling infrastructure will be secured through the site-specific Zoning By-law. Other applicable TGS performance measures will be secured through the Site Plan Control process.

### **School Boards**

Both the Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) have advised that there are significant enrollment pressures in the area. The local TDSB elementary schools are Wedgewood Junior School, Bloorlea Middle School, and Etobicoke Collegiate Institute. Local TCDSB schools include Our Lady of Peace Catholic School, Bishop Allen Academy and Michael Power/St. Joseph High School.

TDSB and TCDSB will continue to monitor residential development in the Etobicoke Centre to understand the cumulative impact on local schools and to determine where prospective students will attend school. TDSB and the Toronto Lands Corporation is currently pursuing a new elementary school in the Etobicoke Centre area to address elementary accommodation pressures. TCDSB has been actively working with the City to identify and secure a new Catholic elementary school site within the Bloor-Kipling precinct. Both TDSB and TCDSB request that the owner be required to erect signs on site to communicate the accommodation situation and both boards request that warning clauses be included in agreements of purchase and sale/lease/rental/tenancy for units in the proposed development.



## **Community Benefits Charge**

Changes to Section 37 of the *Planning Act* has been replaced with a new growth funding tool called the Community Benefits Charge (CBC). City Council adopted a CBC Strategy that supports levying a four percent CBC based on the appraised value of the land at the time a building permit is issued. For more information, please visit the Section 37 Community Benefits Charge page.

## **Other**

Although the site is not identified as an area with archaeological potential, a Stage 1 archaeological assessment prepared by WSP Canada Inc was submitted as part of this application. The report concludes that the site has been previously disturbed and no longer holds archaeological potential, so no further archaeological assessment is required.

A Compatibility/Mitigation-Air Quality Study prepared by Thornton Tomasetti was submitted to support this application. The report concludes that the proposed development will not be negatively impacted by the existing or future commercial or industrial facilities, nor to impose significant new limitations on existing or future commercial or industrial developments in the surrounding area. Notwithstanding, it is recommended for the building to be supplied with centralized air system intaking air from the northwest or southwest sides of the building from the screened intake louvres, preferably at the highest elevation possible. Given the study was not requested as a complete application requirement, a peer review of this document was not conducted.

## **Community Consultation**

On July 28, 2023, City Planning staff hosted a virtual community consultation meeting using the Webex video conferencing program. Notice of the proposed development was sent to properties within a 250-metre radius of the subject site, extending north to Mattice Avenue. The meeting was attended by the Ward 2 and Ward 3 Councillors, the applicant, and members of the public. At the meeting, City Planning staff presented the planning policy framework and an overview of the application review process, while the applicant presented details of their development proposal.

The following issues were discussed at the public meeting:

- Lack of dwelling units geared towards families and seniors in terms of dwelling unit sizes;
- Questions about privacy as a result of the distance between the existing and proposed building;
- Concerns about where vehicle pick-up and drop-off will be located;
- Some residents are in support of the transit-oriented growth in the Etobicoke Centre and the addition of ground floor retail space;
- The provision of adequate storage lockers;
- Concerns about the limited number of residential parking spaces and suggestion that more be provided; and
- Concerns about the limited amount of park space in the area to support additional population growth.

The comments provided have been used to refine and improve the application and formulate appropriate zoning standards, including the introduction of on-site pick-up and drop-off spaces. Staff will continue to work with the applicant revise the proposal to address these community concerns at the Site Plan Control review process.

## **Conclusion**

Staff recommend that Council support the approval of this application and the Draft Zoning By-law Amendment to implement the proposed development, subject to the conditions identified in the recommendations of this report.

## **CONTACT**

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## **SIGNATURE**

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Michael Mizzi, MCIP, RPP  
Director, Community Planning  
Etobicoke 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: Etobicoke Centre Secondary Plan Area Map  
Attachment 5: Etobicoke Centre Secondary Plan Land Use Map  
Attachment 6: Existing Zoning By-law Map  
Attachment 7: Draft Zoning By-law Amendment (attached separately)

### **Applicant Submitted Drawings**

Attachment 8: Site Plan  
Attachment 9a: North Elevation  
Attachment 9b: East Elevation  
Attachment 9c: South Elevation  
Attachment 9d: West Elevation

## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 5, 7 and 9 Jopling Avenue South Date Received: August 23, 2022

Application Number: 22 194681 WET 03 OZ

Application Type: Zoning By-law Amendment Application

Project Description: Zoning By-law Amendment application to permit a 39-storey residential building with 434 dwelling units, a total gross floor area of 26,990 square metres, resulting in a floor space index of 17 times the lot area. A total of 25 parking spaces are proposed in one level of underground garage, including 19 for residential and six for visitor.

Applicant	Agent	Architect	Owner
CCD Jopling Residences LP. c/o Daniel Oliveira 134 Peter Street Toronto, Ontario M5V 2H2	Bousfields Inc. 3 Church Street, Suite 200 Toronto, Ontario M5E 1M2	Quadrangle Architects Ltd. 901 King Street West, Suite 701 Toronto, Ontario M5V 3H5	Anna Lukaczow 5 Jopling Avenue South Toronto, Ontario M9B 3P4

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: 626

Zoning: EC2 Heritage Designation: No

Height Limit (m): 60 Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq m): 1,581 Frontage (m): 48 Depth (m): 37

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	540		1,310	1,310
Residential GFA (sq m):	1,000		26,740	26,740
Non-Residential GFA (sq m):			250	250
Total GFA (sq m):	1,000		26,990	26,990
Height - Storeys:	2		39	39
Height - Metres:	8		119	119

Lot Coverage Ratio (%) 82.85 Floor Space Index: 17.07

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	26,740	
Retail GFA:	250	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			434	434
Other:				
Total Units:			434	434

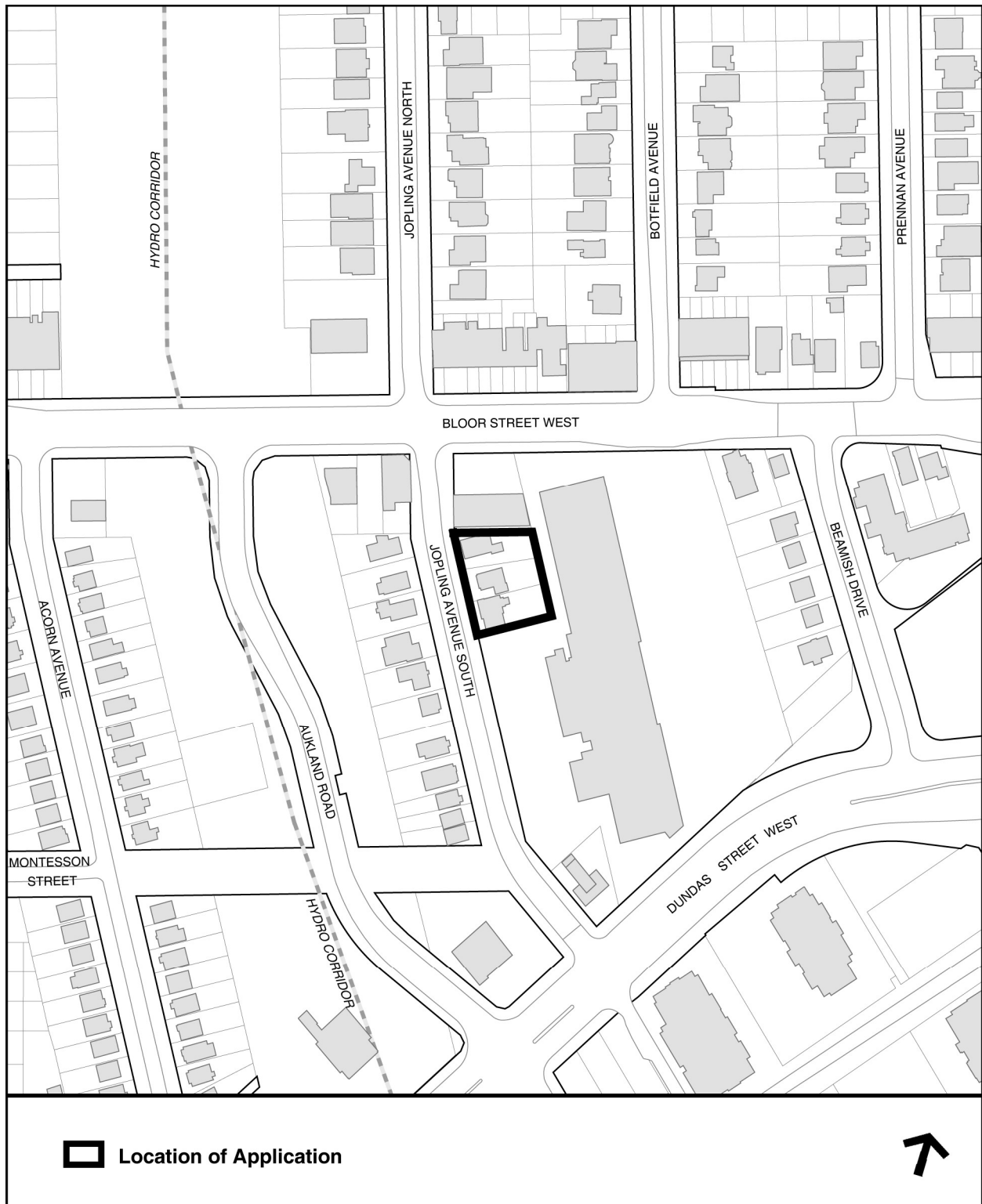
#### Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		34	280	78	42
Total Units:		34	280	78	42

#### Parking and Loading

Parking Spaces:	25	Bicycle Parking Spaces:	329	Loading Docks:	1
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## Attachment 2: Location Map



## Attachment 3: Official Plan Land Use Map



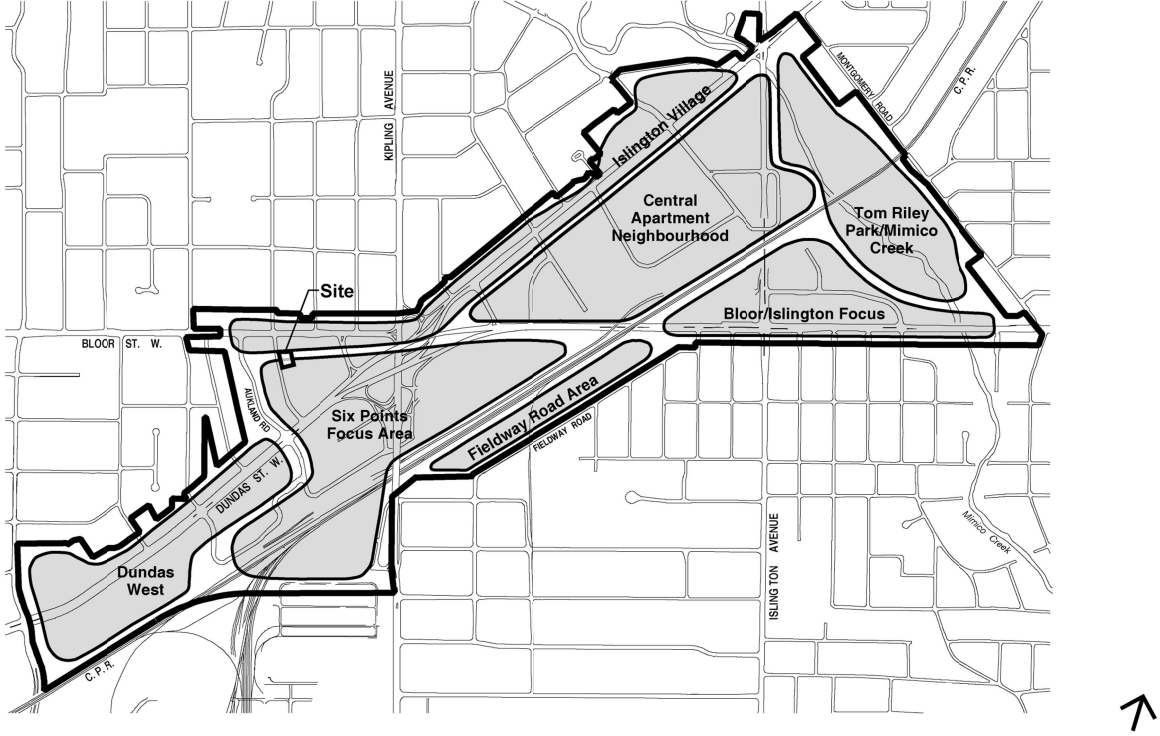
Official Plan Land Use Map #14

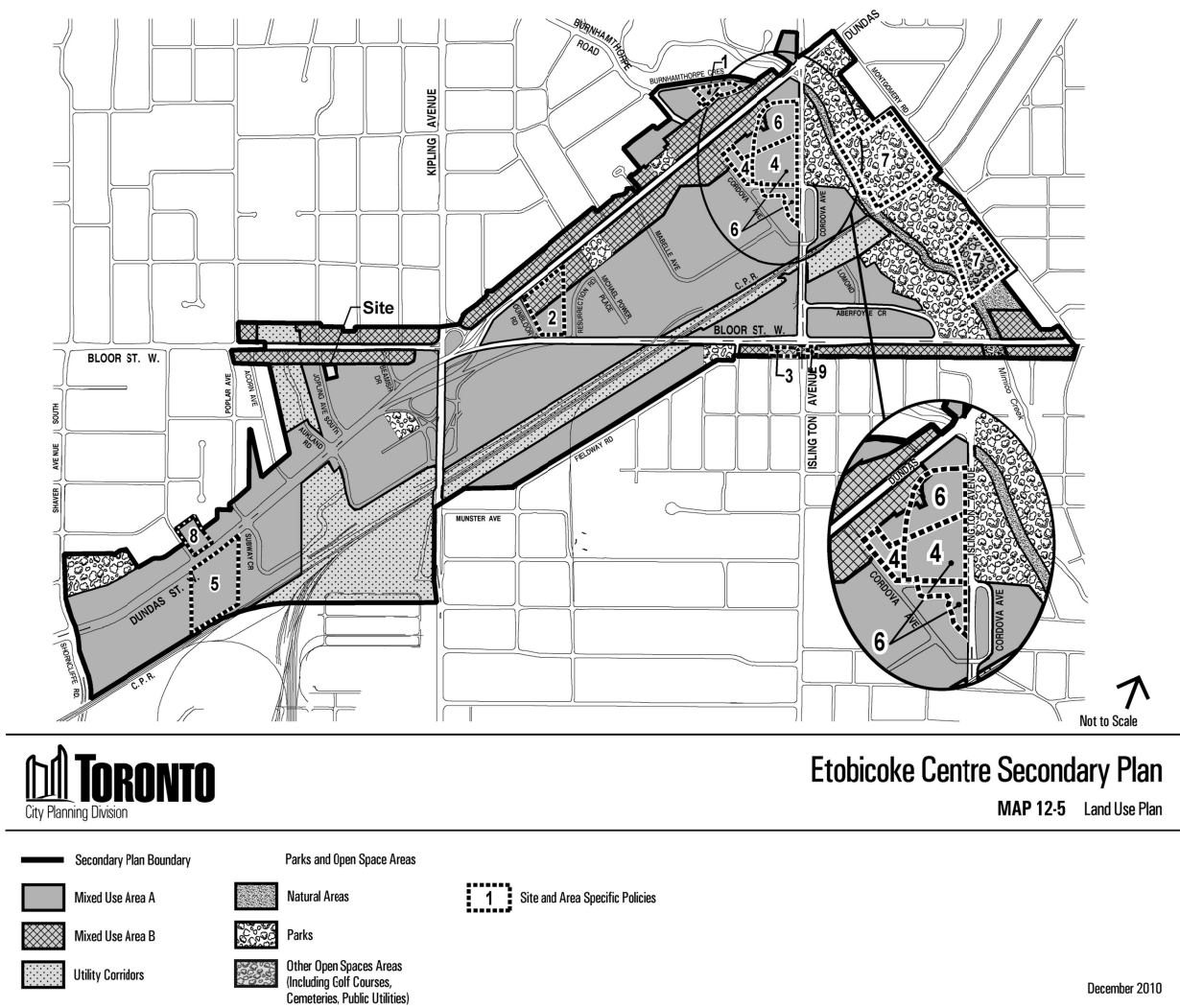
5-9 Jopling Ave S

File # 22 194681 WET 03 0Z



↑  
Not to Scale  
Extracted: 08/29/2022





December 2010



## Attachment 6: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**5-9 Jopling Ave S**

**File # 22 194681 WET 03 0Z**



Location of Application

**RD**  
**UT**

*Residential Detached*  
*Utility and Transportation*



See Former City of Etobicoke By-Law No. 11,737

**R2**  
**OS**  
**EC1**  
**EC2**  
**U**

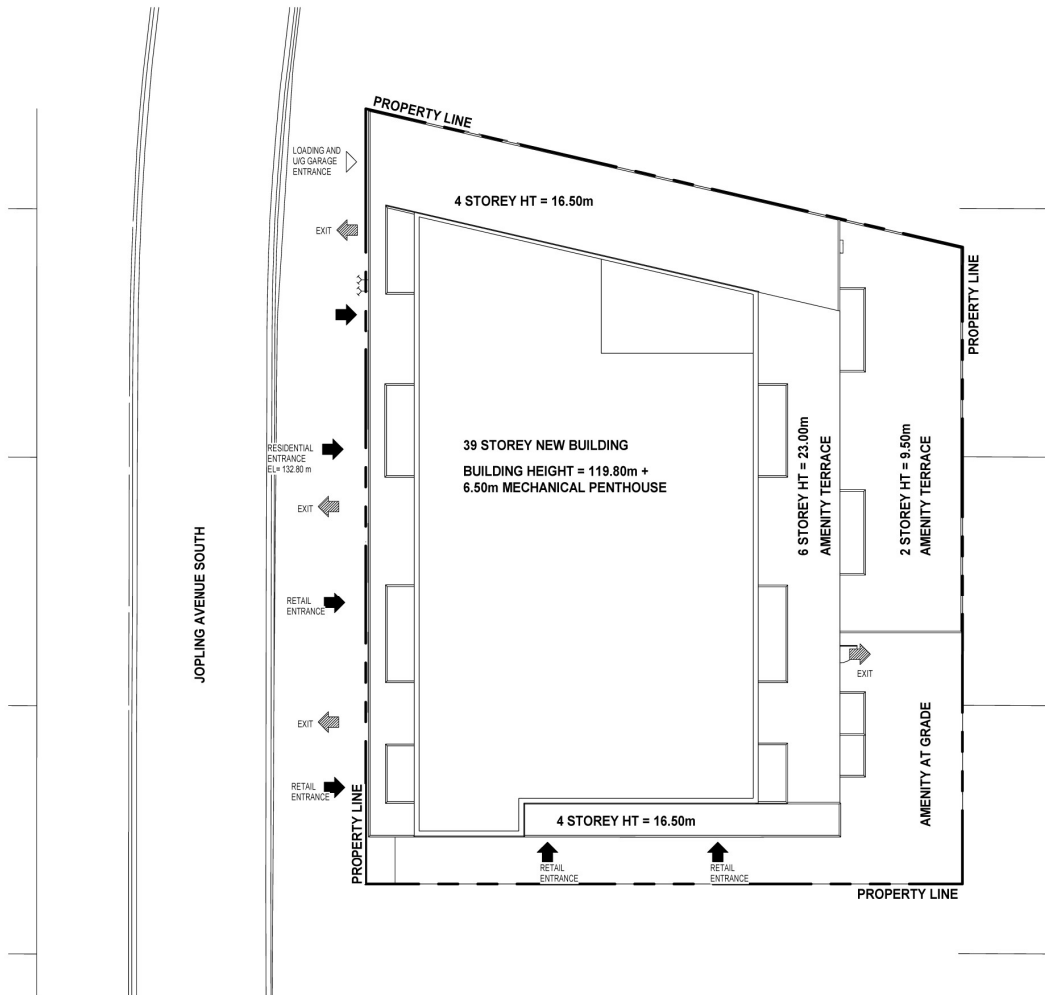
**Second Density Residential Zone**  
**Public Open Space Zone**  
**Etobicoke Centre 1**  
**Etobicoke Centre 2**  
**Utilities Zone**



Not to Scale  
Extracted: 08/29/2022

Attachment 7: Draft Zoning By-law Amendment (attached separately)

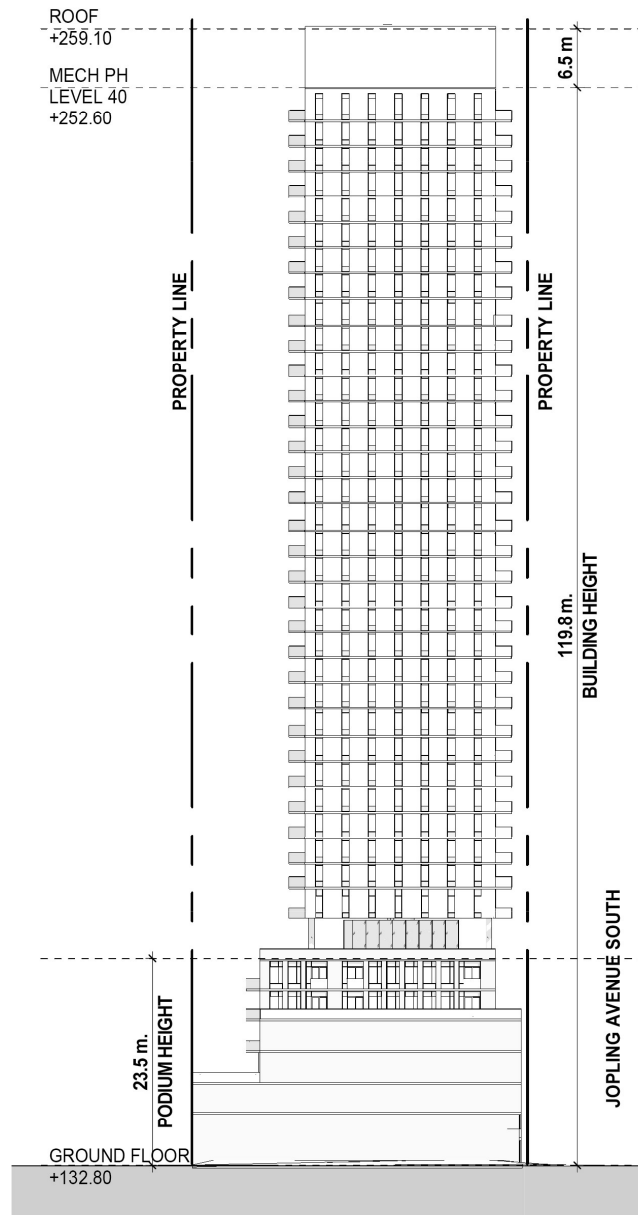
## Attachment 8: Site Plan



Site Plan

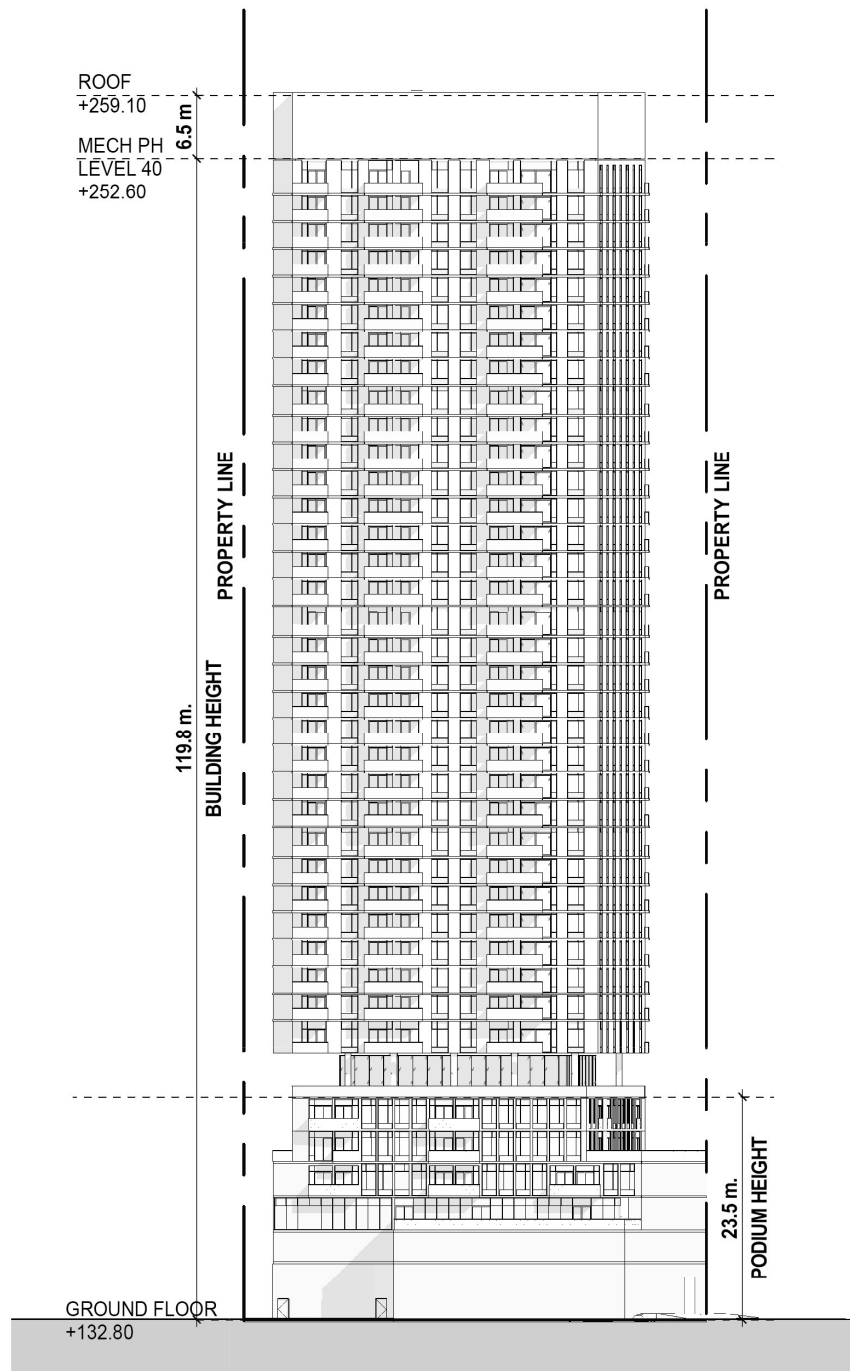


## Attachment 9a: North Elevation



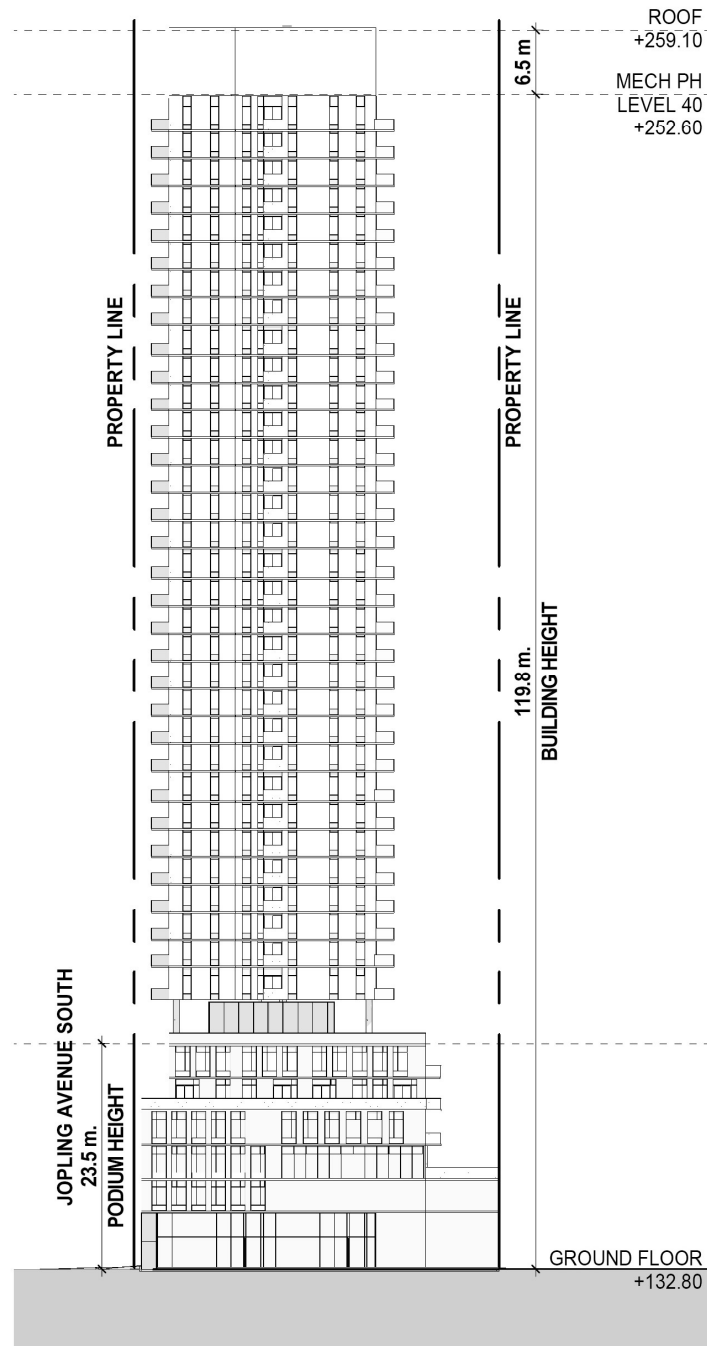
North Elevation

## Attachment 9b: East Elevation



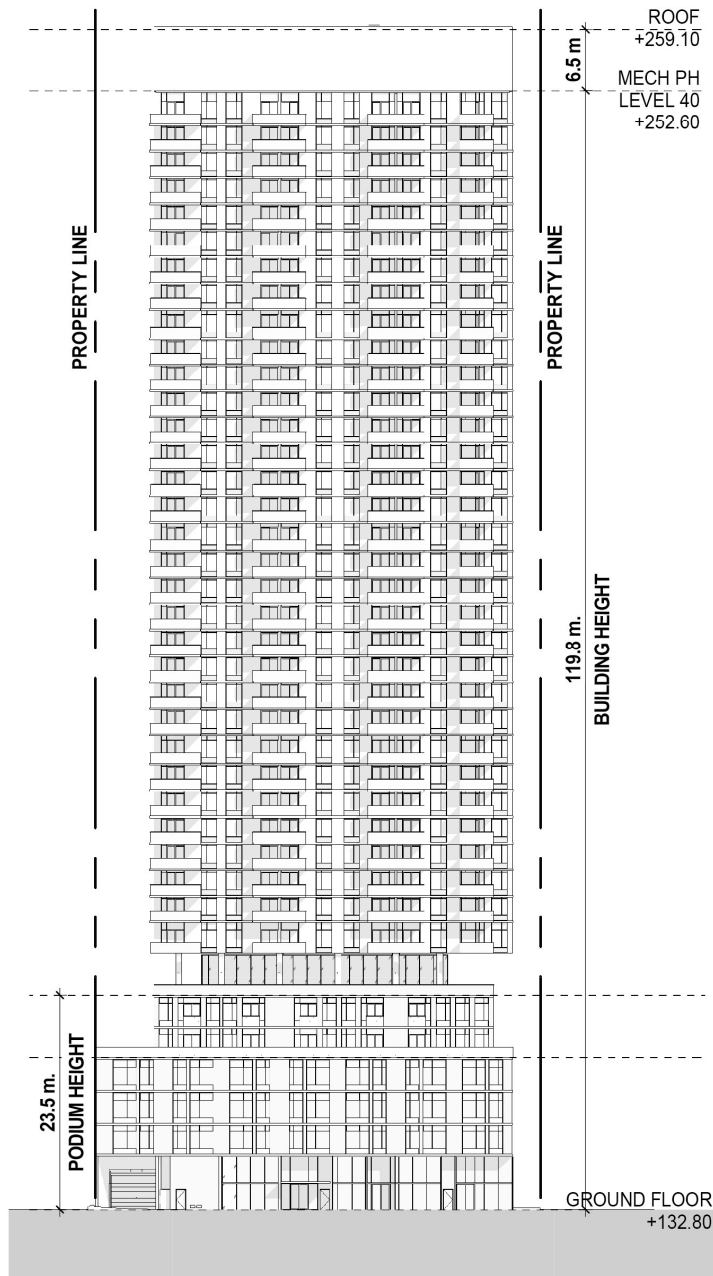
East Elevation

## Attachment 9c: South Elevation



South Elevation

## Attachment 9d: West Elevation



West Elevation