

5 Capri Road – Zoning By-law Amendment – Decision Report – Approval

Date: October 25, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 2 - Etobicoke Centre

Planning Application Number: 21 125098 WET 02 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit the development of a mixed-use building containing three 22-storey towers connected by a four-, six- and eight-storey base building on the southern portion of the site. A total of 805 residential units, 113 square metres of retail space on the ground floor and 693 square metres of daycare space on the ground floor and second floor are proposed. The total proposed gross floor area is 57,705 square metres. The proposal will also require the extension of Capri Road and includes the creation of a public park and an enhanced landscaped area intended for resident and community use. The existing 24-storey apartment building on the site is to remain.

This report recommends approval of the application to amend the Zoning By-law subject to the conditions listed in the holding provision. Provided the matters subject to the holding provision are addressed, staff have determined that the proposed development conforms with the Official Plan, is consistent with the City's urban design guidelines, and represents an appropriate infill development that is compatible with the existing and planned context.

RECOMMENDATIONS

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

1. City Council amend the City of Toronto By-law 569-2013 for the lands at 5 Capri Road 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.
3. City Council approve that, in accordance with Section 42 of the Planning Act, prior to the issuance of the first building permit, the owner shall convey to the City, an on-site parkland dedication having a minimum size of 1336 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
4. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.
5. City Council allow either the 4% Community Benefits Charge to be paid by the owner in full or allow the owner of 5 Capri Road to convey the 441 square metres of additional parkland (the "parkland over-dedication") as an in-kind contribution pursuant to subsection 37(6) of the Planning Act, in part, free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition prior to the issuance of the first above grade building permit, which is above the value of the Section 42 parkland dedication requirement, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
6. City Council attribute a value to the parkland over-dedication equal to a percentage of 4% of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the building permit is issued in respect of the development, and the difference between this value and the 4% value of the land is to be paid by the owner as Community Benefits Charge.
7. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement pursuant to subsection 37(7.1) of the Planning Act (the In-kind Contribution Agreement) to address the provision of the in-kind contribution of the parkland over-dedication to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, with such agreement to be registered on title to the lands, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

8. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements for the on-site parkland dedication and the Parkland Over-dedication to the satisfaction of the General Manager, Parks, Forestry and Recreation, and the development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time-to-time.

9. City Council recommend to the Chief Planner and Executive Director, City Planning that the following matters, among others, be secured through the Site Plan Control approval for the proposed development, pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City as follows:

a. the owner shall construct a public pedestrian access pathway (the Pedestrian Pathway) with an approximate area of 778 square metres, described as being along the perimeter of the site and parallel to Highway 427, connecting the proposed public park, an Enhanced Landscaped Area, and providing points of access for future northward and southward extensions, as indicated in the Landscape Plan, dated August 23, 2023, and prepared by STUDIO, and its detailed design to be determined and the delivery of an associated at grade easement to be secured through the Site Plan Control process for the proposed development in accordance with the following:

1. prior to the Statement of Approval, the owner will convey a surface easement in perpetuity over the Pedestrian Pathway to the City for nominal consideration, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the City Solicitor;

2. the construction of the Pedestrian Pathway will be a post-approval condition of the Notice of Approval Conditions, to be secured as part of the Site Plan Agreement, all to the satisfaction of the Chief Planner, and Executive Director, City Planning, and the General Manager, Transportation Services;

3. the Pedestrian Pathway will be fully accessible to the public (subject to standard exceptions, including for illegal activity), available during appropriate hours of operation throughout the year (save and except for special events, maintenance, repairs and emergencies) and appropriately lit for safety after dark;

b. the owner shall construct and maintain an Enhanced Landscaped Area with

public access located within the portion of the Block 2 lands between the existing building and Capri Road extension with an approximate area of 422 square metres in accordance with the following:

1. prior to the Statement of Approval, the owner will convey a surface easement in perpetuity over the Enhanced Landscaped Area to the City for nominal consideration, all to the satisfaction of the Chief Planner, and Executive Director, City Planning, the General Manager, Transportation Services, and the City Solicitor;
2. the construction of the Enhanced Landscaped Area will be a post-approval condition of the Notice of Approval Conditions, to be secured as part of the Site Plan Agreement, all to the satisfaction of the Chief Planner, and Executive Director, City Planning, and the General Manager, Transportation Services; and
3. the enhanced landscaped area will be fully accessible to the public, not gated from the street, available 24/7 throughout the year (save and except for repairs or emergencies) and appropriately lit for safety after dark.

c. The owner shall continue to provide and maintain the existing 327 rental units at 5 Capri Road as rental housing for a period of at least 20 years commencing from the date the Zoning By-law Amendment comes into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during the 20-year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor; and

d. The owner shall undertake improvements to the existing rental apartment building at 5 Capri Road, at its sole expense and at no cost to the tenants, as follows:

1. Construct at least 424 square metres of dedicated outdoor amenity space for the existing rental apartment building;
2. Construct at least 303.4 square metres of indoor amenity space for the existing rental apartment building;
3. laundry room upgrades, including accessibility improvements to be finalized at Site Plan Control review; and
4. improved garbage/recycling collection areas for the existing rental apartment building, to be finalized at Site Plan Control review.

10. Prior to Statement of Approval for Site Plan Control, City Council require the owner to submit a Construction Mitigation and Tenant Communication Plan, including an

interim parking plan, to mitigate the impacts of construction of the development on the tenants of the existing rental apartment building, all to the satisfaction of the Chief Planner and Executive Director, City Planning.

FINANCIAL IMPACT

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

A pre-application consultation meeting on the application was held on June 10, 2020. The application was received on March 10, 2021 and deemed complete as of April 19, 2021. A Preliminary Report, dated August 18, 2021, was considered by Etobicoke York Community Council on September 10, 2021 and is available [here](#). Staff conducted a Community Consultation Meeting for this application on January 31, 2023, details of which are summarized in the Comments section of this report.

PROPOSAL

Application Description

The application proposes to amend the Zoning By-law to permit the development of a mixed-use building in a u-shape configuration containing three towers on the southern portion of the site, connected by an extension of Capri Road. A public park is also proposed on the southeast portion of the site, as well as an Enhanced Landscaped Area located approximately between the proposed building and the Capri Road extension cul-de-sac (see Attachment 6). The height of the proposed towers will be 22-storeys or 73.5 metres with the base building ranging in height from four-storeys (15.4 metres) to eight-storeys (29.1 metres). The proposed building contains a total of 805 residential units and 806 square metres of non-residential space, of which 693 square metres is a daycare and 113 square metres is retail space. The proposed development has a total gross floor area of 57,705 square metres.

Vehicular access to the site and below grade parking is proposed from an extension of Capri Road to the south terminating in a cul-de-sac adjacent to the proposed building. Parking is proposed to be provided through three levels of below-grade parking and three levels of above-grade parking accessed via internal driveways and ramps. The surface and underground parking for the existing apartment building will be demolished

and accommodated within the proposed new parking areas. A total of 941 vehicular parking spaces are proposed to be provided, including 875 resident parking spaces and 66 visitor parking spaces. A total of 689 bicycle parking spaces are proposed. Two Type G loading spaces are to be provided for the proposed building, along with one Type G loading space for the existing apartment building.

Outdoor amenity space for residents would be provided on the fifth level, the seventh level, and ninth level, measuring 1620 square metres in total and provided at a rate of two square metres per dwelling unit. Indoor amenity would be provided on the ground level, fifth level, sixth level, seventh level, and ninth level, measuring 1620 square metres in total and provided at a rate of two square metres per unit.

The application also includes the provision of a pedestrian pathway around the perimeter of the site, connecting to the proposed public park and extended Capri Road. The intention of this pathway is to allow for future northward and southward extensions to serve the neighbourhood.

Site and Surrounding Area

The site is located south of the terminus of Capri Road, east of Highway 427 and west of The East Mall. It is currently occupied by a 24-storey apartment building on the northern half of the site, along with associated surface parking. The site has a total area of approximately 23,528 square metres (2.35 hectares) and is rectangular in shape. It has a frontage of approximately 24.5 metres on Capri Road.

The surrounding land uses include:

North: Adjacent to the site is a 19-storey apartment building owned by Toronto Community Housing (municipally known as 7 Capri Road). Further north, is a 16-storey apartment building (Park Edge Place, municipally known as 580 The East Mall) as well as Capri Park (one hectare in size) bounded by The East Mall to the east, Rathburn Road to the north and the off-ramp from Highway 427 to the west.

South: Adjacent to the site is a large sports field and the two-storey Burnhamthorpe Collegiate Institute and Adult Learning Centre, municipally known as 500 The East Mall. Further south is a five-storey long-term care facility (Eatonville Care Centre), municipally known as 420 The East Mall, and office buildings with access from Four Seasons Place.

East: Immediately east of the site is a seven-storey apartment building (Chelsea Gardens), municipally known as 530 The East Mall. A Zoning By-law Amendment application and Rental Housing Demolition Application have been submitted to permit the redevelopment of this site into three residential apartment buildings containing four 21-storey towers. Directly across The East Mall is a four- to seven-storey apartment building, municipally known as 535 The East Mall, and to the southeast is the West Glen Junior School.

West: Adjacent to the site is Highway 427. Directly across the highway are 13 blocks of stacked back-to-back townhouses (Dwell City Towns), municipally known as 3-35 Applewood Lane.

Existing Uses

The site is occupied by a 24-storey rental apartment building, which was constructed in 1973, known as Capri Towers. This building is oriented north-south with a v-shape, has a floor plate of approximately 1336 square metres and contains 327 units consisting of 92 one-bedroom, 187 two-bedroom, and 48 three-bedroom units.

Reasons for the Application

The proposal requires an amendment to the City-wide Zoning By-law 569-2013 to permit the proposed height and number of dwelling units and revise other development standards as necessary to reflect the proposal.

APPLICATION BACKGROUND

Application Requirements

The materials and studies submitted in support of the application can be found by visiting the [Application Information Centre](#).

Agency Circulation Outcomes

The application together with applicable materials and submitted studies 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

Provincial Policy Statement and Provincial Plans

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 (PPS) (2020) and shall conform with Provincial plans, including the Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan).

Official Plan

The land use designation for the site is *Apartment Neighbourhoods* on Map 14 of the Official Plan. See Attachment 3 of this report for the Land Use Map. Additionally, The East Mall is identified as a major street on Map 3 of the Official Plan. 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](#).

Zoning

The site is zoned R4 (Residential Fourth Density Zone) under the former City of Etobicoke Zoning Code and is subject to site-specific Zoning By-law 1079, which was enacted on February 24, 1969. This by-law rezoned the lands municipally known as 5 Capri Road, 7 Capri Road and 580 The East Mall to the R4 zone category to permit the development of three apartment buildings (with heights of 24-, 19- and 16-storeys and a total of 704 dwelling units). The provisions of this site-specific by-law apply collectively to all three properties and permit among other matters:

- A minimum of 70% of the lot area for landscaped open space;
- A total lot coverage of 15% for all three buildings;
- Parking at a rate of 125% of the number of dwelling units, of which a minimum of 100% is to be located underground or in structures and minimum 15% is required to be visitor parking; and
- Service shops (including a tuck shop) are permitted but may not exceed 297 square metres.

The site is also zoned RAC (f24.0; au116.0) (x107) under city-wide Zoning By-law 569-2013 (See Attachment 4: Zoning Map). The Residential Apartment Commercial Zone permits dwelling units in an apartment building. Buildings within the RAC zone would be limited to a maximum building height of 14 metres and a maximum lot coverage of 40%. The site is subject to Exception 107 whereby it is governed by the prevailing site-specific Zoning By-law 1079, excluding subsection 1(e) which includes the permission for service shops.

City-wide Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/>.

Toronto/Lester B. Pearson International Airport Zoning Regulations

The site is subject to the Toronto/Lester B. Pearson International Airport Zoning Regulations (Government of Canada Regulation SOR/99-123). The site is subject to obstacle zoning restrictions, which provides for a maximum allowable elevation above sea level resulting in a height limit for any proposed development on the lands. The maximum allowable elevation is 219.46 metres above sea level for the site.

Design Guidelines

The following design guidelines are relevant in the consideration of the proposal:

- Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

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 TGS.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been received and was deemed complete on March 21, 2023 (file number 23 124806 WET 02 SA) and is currently under review.

COMMENTS

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), and find the proposal to be consistent with the PPS and in conformity with the Growth Plan.

Land Use

The site is designated *Apartment Neighbourhoods*. Permitted uses in *Apartment Neighbourhoods* include apartment buildings, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. The Official Plan describes *Apartment Neighbourhoods* as stable areas of the City where significant growth is not anticipated on a city-wide basis, however, it recognizes that opportunities exist for additional apartments on underutilized sites. Compatible infill development may be permitted on a site within a developed *Apartment Neighbourhood* which improves existing site conditions. Means through which existing conditions are improved include compatibility with the existing height and massing of buildings on and adjacent to the site, provision of adequate separation distances, on-site indoor and outdoor residential amenity improvements, provision of quality landscaped open space, provision of adequate on-site shared vehicular parking,

and the consolidation and relocation of parking to where it is not visible from streets and parks, and organization of development to frame streets, parks and open spaces with good proportion.

The proposed development conforms to the policy direction for compatible infill development. It achieves compatible infill development as described in the *Apartment Neighbourhoods* section by respecting the height and massing of the existing building on the site, consolidating proposed and existing parking within a parking structure so it is not visible from the street, improving landscaping on-site, improving indoor and outdoor amenities for the existing building, and framing the proposed parkland.

Density, Height, Massing

The proposed development would introduce an appropriate scale of compatible infill in the form of a u-shaped building comprised of three 22-storey towers connected by a four-, six- and eight-storey base building. The proposed built form respects the height of the existing apartment building on the site. The proposed tower heights would be 22-storeys or 73.5 metres whereas the existing building is 24-storeys or approximately 68.6 metres in height. Further, the proposed building would be set back 11 metres at the base building from the existing building, and 25 metres from Tower A to the existing building. The proposal also calls for the provision of 424 square metres of outdoor amenity space for the existing building, and extensive landscaping including a pedestrian pathway, between the existing and proposed buildings. The existing surface parking is also proposed to be removed to create a new consolidated parking area internalized within the proposed building. The location of the building and organization of the site relative to the extension of Capri Road and new park would provide a suitable streetwall condition.

Section 3.1.3 of the Official Plan addresses built form considerations and directs new infill development to be designed to fit within the existing and planned context of the surrounding area. Policy 3.1.3.1 specifically, directs development to frame and support parks by being located parallel to them, and 3.1.3.5 further states that new development will be massed to define the edges of streets, parks, and open spaces at good proportion. The proposal would be located adjacent to a new proposed park at the southeast corner of the site. The park would be bordered almost in its entire length by the proposed building with dwelling units and active spaces animating and overlooking the park edge. Further, Policy 3.1.3.8 indicates that development adjacent to parks or open space should provide an appropriate transition in scale to the park and allow for access to direct sunlight. The proposed building addresses this policy by being set back five metres from the park, and by stepping back the tower an additional three metres from the base building on the side closest to the park.

The tower floor plates are 799 square metres for Tower A, 775 square metres for Tower B, and 795 square metres for Tower C. The three towers are proposed to exceed the Tall Building Design Guidelines which speaks to maximum residential tower floor plates

of 750 square metres, however, the larger proposed floor plates are offset by generous separation distances that reflect the *Apartment Neighbourhoods* context and significantly exceed the minimum standards set out in the guidelines. The impact of these larger tower floor plates would generally be further reduced due to the shaping of the towers, in particular, the irregular east wall of Tower B and irregular south wall of Tower C.

Sun, Shadow, and 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. Shadow Studies by BDP Quadrangle Architects Limited, dated February 9, 2021, and revised November 9, 2022, were submitted in support of the application. The studies show that shadow impacts on the proposed parkland would be limited to the evening hours during all times of the year. Similarly, shadows would impact The East Mall only during the late evening hours at all times of the year. The resulting shadow conditions on nearby streets and public realm would be adequately minimized while still allowing for appropriate infill within the *Apartment Neighbourhoods*.

The Official Plan policies require tall buildings to minimize negative wind impacts on adjacent streets and surrounding areas. A Pedestrian Level Wind Study was prepared by Gradient Wind, dated February 8, 2021. An updated study was prepared by Gradient Wind on October 26, 2022 and a further addendum letter was prepared by RWDI, dated August 25, 2023 in response to the changes in the building massing. Per the most recent letter the proposed building massing described in this Zoning By-law Amendment is anticipated to improve pedestrian level wind conditions on the site when compared to previous iterations. In particular, the increased separation distance between the proposed building and the existing apartment building is anticipated to improve wind conditions by reducing channeling of wind flows into a confined space.

Additional wind tunnel tests have been scheduled to quantify the wind conditions around the new building design and refine the proposed wind control solutions. Staff are including a holding provision in the zoning for the subject lands, and the holding symbol is to remain until such time that a wind tunnel study is completed with verification of the recommendations for appropriate mitigation on the lands to inform the site plan control review, to the satisfaction of the Chief Planner and Executive Director, City Planning. Additional wind mitigation measures such as canopies, wind screens and overhead protections may be identified and secured through the Site Plan Control application.

Amenity Areas

The current proposal would provide two square metres of indoor amenity space and two square metres of outdoor amenity space per unit for the new building. These minimum amenity space requirements are secured in the proposed draft Zoning By-law

amendment attached to this report. As per the Official Plan, outdoor amenity spaces are to be located at or above grade, in locations with access to sunlight. The proposed outdoor amenity spaces for the new building would be located on the base building rooftop on level five, the base building rooftop on level seven, and the base building rooftop on level nine for the new building. The proposed indoor amenity space would be located on the ground floor, level two, level five, level seven, and level nine.

The application also proposes 424 square metres of new outdoor amenity space for the existing building, located at the ground level. New indoor amenity space for the existing building is also proposed to be located in the basement level and ground level. The provision of indoor and outdoor amenity space for the existing building is proposed to be secured through the Zoning By-law Amendment.

Given the current rise in dog-owning populations, the applicant was instructed to provide on-site pet amenities, such as pet relief areas and dog wash stations. A pet spa is proposed to be incorporated into the indoor amenity space at the ground level. Additional pet friendly design requirements would be considered through the detailed design as part of the Site Plan Control application.

Through the Site Plan Control review process, the details on the specific locations and layout of the amenity space will be further refined.

Transportation Impacts, Access and Parking

The application proposes access from an extension of Capri Road, resulting in a southward bend from its current terminus and ending in a cul-de-sac northeast of the proposed development. The layout of this road extension is acceptable. Transportation Services staff have requested that the turning circle be revised to be in accordance with Development Infrastructure and Policy Standard (DIPS) 5 specifications.

Additional materials must also be provided for the new public road, to the satisfaction of Transportation Services. These matters would be addressed as part of the Draft Plan of Subdivision application, which would result in the creation of the extension of Capri Road. Staff are including a holding provision in the Zoning By-law Amendment for the subject lands that will remain until such time that a public street extending Capri Road southward towards the site with a minimum 16.5-metre right-of way and terminating in a cul-de-sac in accordance with DIPS 5 has been designed to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services, and that satisfactory arrangements have been made to the Chief Engineer and Executive Director, Engineering and Construction Services for the construction and conveyance of a public street and entering into of a subdivision agreement pursuant to Section 51 of the Planning Act.

A Transportation Impact Study was prepared by R.J. Burnside, dated February 2021, with response letters dated November 9, 2022 and August 23, 2023 subsequently

provided in support of the Zoning By-law amendment application. The study indicates that the proposed development is estimated to generate 267 two-way residential vehicle trips during the weekday morning peak hour and 310 two-way residential vehicle trips during the weekday afternoon peak hour. Staff are satisfied that the projected increase in vehicular trips generated by the proposed development can be accommodated by the existing road network.

The Official Plan states that development will locate and organize vehicle parking, vehicular access and ramps, loading, and servicing to minimize their impact and improve the safety and attractiveness of the public realm by providing underground parking, removing existing surface parking and integrating above-ground parking structures. All vehicular access to the site would be provided through a driveway connecting to the Capri Road extension cul-de-sac, with a vehicle turnaround provided in the centre of the site. All access to the three levels of underground parking would be provided via an internal driveway and ramp at the southern portion of the site and all access to the three levels of above-grade parking would be provided via an internal driveway and ramp at the western portion of the site.

One Type G loading space is proposed to be located adjacent to the underground parking ramp and driveway and one Type G loading space is proposed to be located next to the above-grade parking ramp and driveway.

All vehicular activities would be screened from public view and their impact limited on the public realm as all activities would be taking place within the development. No surface parking is proposed, only vehicle pickup/drop-off activities would be permitted.

The application proposes a total of 941 vehicle parking spaces, of which 875 would be resident parking spaces and 66 would be visitor parking spaces. The proposed development would also provide 25 accessible parking spaces. The proposed parking supply would comply with the overall minimum parking requirements as per the Zoning By-law.

A parking rate of 0.77 resident parking space per dwelling unit and 0.1 visitor parking spaces per dwelling unit for the proposed development will be secured through the Zoning By-law Amendment.

Bicycle Parking

A total of 689 bicycle parking spaces are proposed, of which 558 are to be long-term spaces and 131 are proposed to be short-term spaces. The proposed development provides the minimum required number of bicycle parking spaces.

Streetscape

Capri Road is proposed to be expanded through an extension southward towards the proposed building where it would terminate in a cul-de-sac that serves the proposed development. A 2.1-metre-wide pedestrian sidewalk is proposed to be provided on both sides of the Capri Road extension and around the cul-de-sac. The proposed building would be set back 19.5 metres from the Capri Road extension. This frontage would accommodate outdoor space for the proposed daycare as well as an Enhanced Landscaped Area intended for resident and community use. Additionally, the proposed parkland would front the Capri Road extension cul-de-sac to the southeast of the site. The design of the proposal would result in an attractive, pedestrian-oriented, streetscape with generous landscaping.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report prepared by Lithos, dated February 2021, and updated November 2022 and September 2023. Staff are including a holding provision in the Zoning By-law Amendment to remain in place until such time that a Functional Servicing Report has been submitted by the Owner and accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, and that any associated financial agreement for required upgrades and necessary approvals have been issued.

Noise and Air Quality

The applicant submitted an Air Quality Assessment prepared by Gradient Wind, dated February 8, 2021, and a Roadway Traffic Noise Feasibility Assessment (Noise and Vibration Report), dated February 8, 2021, to determine the proposal's compliance with Provincial regulations and guidelines. The City retained a peer review consultant, Arcadis, to review these studies. The peer review of these reports is currently ongoing. Staff are including a holding provision in the Zoning By-law Amendment to remain in place until such time that the peer reviews of the Air Quality Study and Noise and Vibration Report are completed with verification of recommendations for appropriate mitigation on the lands to inform site plan control review to the satisfaction of the Chief Planner and Executive Director, City Planning.

Community Consultation

A virtual Community Consultation Meeting was held for this application on January 31, 2023. City staff, the Ward Councillor, the applicant's team along with approximately 17 members of the public were in attendance. Community members also wrote to City staff with comments following the community consultation meeting. Key comments and concerns raised by the public included:

- Concerns about a further increase to the density of this area, which already features many other apartment buildings;
- Questions about whether any units would be affordable;

- Questions about the timeline for the proposed development;
- Concerns about highway traffic noise and potential noise amplification due to building placement adjacent to the highway;
- Concerns about the capacity of local schools to accommodate new students generated by the development;
- Concerns about the capacity of area roads/highways to accommodate the additional traffic generated by the development;
- Questions about whether the proposal takes into consideration adjacent proposals in terms of traffic generation;
- Questions about the provision of barrier-free, accessible units;
- Questions about the permitted building height on the site currently;
- Support for the proposal as a good opportunity for residents looking to downsize and stay in the community; and
- Concerns about the proximity of the proposed building to the existing apartment building on the site.

City Planning staff have worked with the applicant to address these concerns, where feasible, including to increase the separation distance between the existing building and proposed building. The issue of highway noise amplification was raised with the peer reviewer for the Roadway Traffic Noise Feasibility Assessment.

Unit Mix

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The Council-adopted Growing Up: Planning for Children in New Vertical Communities (Growing Up Guidelines) urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit developments. The provision of 32% (253) two-bedroom units and 13% (103) three bedroom units meet the unit mix objectives to accommodate within new development a broad range of households, including families with children. Two-bedroom units are proposed to range in size from 59 to 80 square metres. Three-bedroom units are proposed to range in size from 71 to 94 square metres.

Housing Issues

The owner has agreed to maintain the existing building as rental housing for a period of at least 20 years from the date the Zoning By-law Amendment comes into force and effect. The owner has also agreed to construct and provide improvements to the existing rental building of which the costs shall not be passed on to tenants of the existing building in any form, including by way of an application to the Ontario Landlord and Tenant Board for the purpose of obtaining an increase in residential rent above the applicable guideline.

The improvements being provided in response to a tenant survey administered in April 2023 include:

- improved laundry room facilities and accessibility;
- 303 square metres of proposed indoor amenity space which is currently proposed to include a new fitness centre, parcel collection room, and long-term bike storage for tenants of the existing rental apartment building;
- 424 square metres of dedicated outdoor amenity space for the existing rental apartment building (which may include a community garden, children's play area, and two outdoor terrace areas with seating); and improved existing garbage/recycling collection areas for the existing rental apartment building.

City Planning staff are satisfied that the proposed improvements to the existing rental housing address the intent of Policy 3.2.1.5 of the Official Plan. The location, layout, and/or specifications of the new indoor and outdoor amenity areas, including laundry room, parcel room, and fitness centre will need to be finalized prior to Site Plan Control application approval for the new development, all to the satisfaction of the Chief Planner and Executive Director, City Planning.

As part of the recommendations to Council, the applicant will also be required to develop a Construction Mitigation Strategy and Tenant Communication Plan prior to the issuance of a statement of approval for the Site Plan Control application. The plan would address construction impacts on existing residents.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced, and expanded. Map 8B of the Toronto Official Plan illustrates 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 parkland per person, which is well below the City-wide average provision of 28 square metres of parkland per person. Given the future expected growth both on the development site itself and surrounding sites, the existing parkland will be further stressed if no new parks are created.

At the alternative rate of two hectares per 600 units as specified in Section 42 of the Planning Act, the parkland dedication requirement is 13,417 square metres or 101% of the site area. However, for sites that are less than five hectares in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 1336 square metres. The applicant is proposing a parkland dedication in the amount of 1777 square metres. This represents an over-dedication of 441 square metres which may be considered through an in-kind community benefit.

This report recommends that City Council accept the on-site parkland dedication and the potential over-dedication free and clear of easements, encumbrances, and

encroachments, including underground parking. The on-site parkland dedication and over-dedication shall comply with Policy 3.2.3.8 of the Official Plan.

New public pedestrian pathway/trail network

The proposal includes a new public pedestrian pathway/trail network which would connect the public park and Capri Road extension along the perimeter of the proposed new building northward along the property limit close to Highway 427. The intention is that this new public pedestrian pathway would connect to an adjoining future public pathway on the adjoining site to the north, creating a pathway/trail network to Capri Park along the Highway 427 frontage, and potentially to the south as well. Staff have conceptually shown the public pedestrian pathway in the draft zoning by-law attached to this report which would be secured in a future Site Plan Agreement.

Enhanced Landscaped Area

A privately-owned Enhanced Landscaped Area of approximately 422 square metres is being proposed. The Enhanced Landscaped Area is located between the proposed building façade (in proximity to the proposed bike café) and the proposed Capri Road extension cul-de-sac to the east and would be located directly south of the existing apartment building. This Enhanced Landscaped Area would serve as an expansion of the public realm and would provide a connection to the proposed on-site pedestrian path and to the proposed public park via the Capri Road sidewalk. Staff have included a recommendation that the owner would convey a surface easement in perpetuity over the Enhanced Landscaped Area, and the area is shown conceptually in the Draft By-law attached to this report. The final design and program of the Enhanced Landscaped Area would be determined through the Site Plan Control review process and secured in a Site Plan Agreement.

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). An Arborist Report and Tree Protection Plan was prepared by Canopy Consulting, dated February 8, 2021, in support of the application. Subsequently a Tree Inventory and Preservation Plan Report was prepared by Kuntz Forestry Consulting Inc., dated August 25, 2022 and revised October 26, 2022 and September 8, 2023.

The proposal would require the removal of 15 by-law protected privately owned trees. A total of 54 new planting trees are proposed within the development site. The application for tree removal/injury has been submitted for processing. Removal or injury of by-law protected trees may not occur without the written approval of the General Manager, Parks, Forestry and Recreation. The applicant must comply with Tier 1: Ecology elements of the Toronto Green Standard (TGS), Version 3. Submitting satisfactory

plans/revisions will be a condition of Urban Forestry's approval of the Site Plan Control application.

Toronto Green Standard (TGS)

Council has adopted the four-tier TGS, which 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 TGS. 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.

Performance measures for the Tier 1 development features to be secured through the site-specific zoning include electric vehicle parking, bicycle parking and soil volume on site. Other applicable TGS performance measures, including the possibility of achieving Tier 2 or higher levels of sustainability, will be secured through the Site Plan Control process.

School Boards

Both the Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) staff have reviewed the development proposal. The local TDSB schools in the area include West Glen Junior School, Bloorlea Middle School and Martingrove Collegiate Institute. Local TCDSB schools include St. Gregory Catholic School, Michael Power/St. Joseph High School, and Bishop Allen Academy.

TDSB has determined that there is insufficient capacity to accommodate students from new residential developments at West Glen Junior School and Bloorlea Middle School. TCDSB indicated that there is the potential for capital solutions in the area to address any enrollment pressures. TCDSB requests that the owner be required to erect a sign on-site to communicate that students may need to be accommodated in portable classrooms or directed to a school outside the area as part of the site plan approval process. Additionally, TCDSB requested that a clause be included in the agreement of purchase and sale for the proposed units that it may be necessary for students to be accommodated in facilities outside the community. Since the proposed development is adjacent to Burnhamthorpe Collegiate Institute/Adult Learning Centre and across the street from West Glen Junior School, TDSB requested that a condition be incorporated into the approval of the subdivision that prior to site plan control approval, construction management be approved to the satisfaction of TDSB.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are foundational to creating complete

communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

The proposed application is located in the Community Services and Facilities boundary of Etobicoke Centre. Amenities that are sought for the subject site for the purposes of serving the community are affordable non-profit child care, and the provision of human agency space.

Changes to Section 37 of the Planning Act have resulted in a new growth funding tool called the Community Benefits Charge (CBC).

The development proposes 693 square metres of private child care space on the ground floor and second level of the proposed building, with outdoor space provided adjacent to the ground floor. Children's Services staff have reviewed the proposed daycare and have advised that the proposed facility is short by approximately 279 square metres to comply with the City standards for a City-run daycare. The proposed daycare is, therefore, not eligible to be included as in-kind community benefit under CBC. Children's Services staff encourage the applicant to consult with them through the site plan review process to ensure the proposed private daycare is designed to be a functional daycare facility. In consultation with the local Ward Councillor and City Solicitor, staff will continue to work with the applicant to explore an in-kind community benefit package pursuant to 37(6) of the Planning Act that includes parkland over-dedication.

CONCLUSION

The proposal is consistent with the PPS (2020), conforms to the Growth Plan (2020) and conforms to the Official Plan. Staff have worked with the applicant to secure improvements to the building massing, tower floor plates, step backs and separation distances, and contributions to the public realm through the provision of an open space and trail network surrounding the site, an Enhanced Landscaped Area, and public parkland. The proposal is a compatible infill development within an *Apartment Neighbourhood* that will improve existing site conditions for residents.

Staff recommend that Council approve the application.

CONTACT

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E-mail: Nicholas.Deibler@toronto.ca

SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

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 (attached separately)

Applicant Submitted Drawings

Attachment 6: Site Plan

Attachment 7a: North Elevation

Attachment 7b: East Elevation

Attachment 7c: South Elevation

Attachment 7d: West Elevation

Attachment 1:

APPLICATION DATA SHEET

Municipal Address: 5 Capri Road Date Received: March 10, 2021

Application Number: 21 125098 WET 02 OZ

Application Type: Rezoning

Project Description: A Zoning By-law Amendment to permit the redevelopment of the southern portion of the site with three apartment buildings having heights of 22 storeys each, connected by a 4-, 6- and 8-storey base building. This revised proposal includes public road dedication, public parkland dedication, additional public land dedication, extensive landscaped open space, a daycare, a bike café, and a new residential development containing 805 residential units.

Applicant	Agent	Architect	Owner
Tenblock	Tenblock 30 Soudan Avenue, Suite 200 Toronto, ON, M4S 1V6	BDP Quadrangle The Well, 8 Spadina Avenue, Suite 2100 Toronto, ON M5V 0S8	Capri Holdings Limited 30 Soudan Avenue, Suite 200 Toronto, ON, M4S 1V6

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	(RAC)Residential Apartment Commercial Zone	Heritage Designation:	N
Height Limit (m):	14.0m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 23,528 Frontage (m): 24.47 Depth (m): 78.93

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,269	1,269	3,050	4,319

Residential GFA (sq m):	32,391	32,391	56,899	89,290
Non-Residential GFA (sq m):			806	806
Total GFA (sq m):	32,391	32,391	57,705	90,096
Height - Storeys:	24	24	22	22
Height - Metres:	68.6	68.6	73.5	73.5

Lot Coverage Ratio (%) : 27.82 Floor Space Index: 3.8

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	89,290	
Retail GFA:	113	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	693	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	327	327		327
Freehold:				
Condominium:			805	805
Other:				
Total Units:	327	327	805	1,132

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:			92	187	48
Proposed:			449	253	103
Total Units:			541	440	151

Parking and Loading

Parking Spaces: 941 Bicycle Parking Spaces: 689 Loading Docks: 2

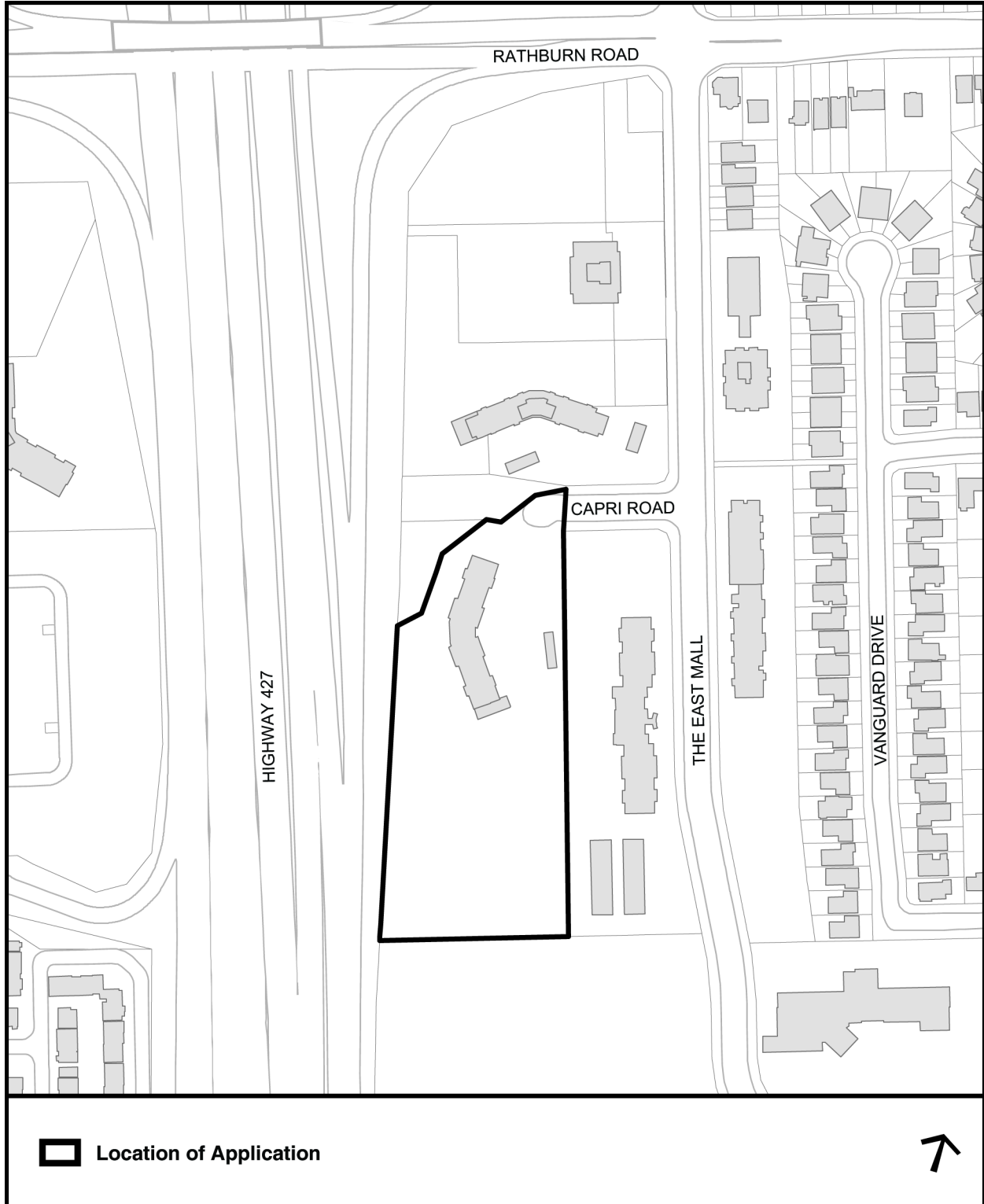
CONTACT:

Nicholas Deibler, Planner

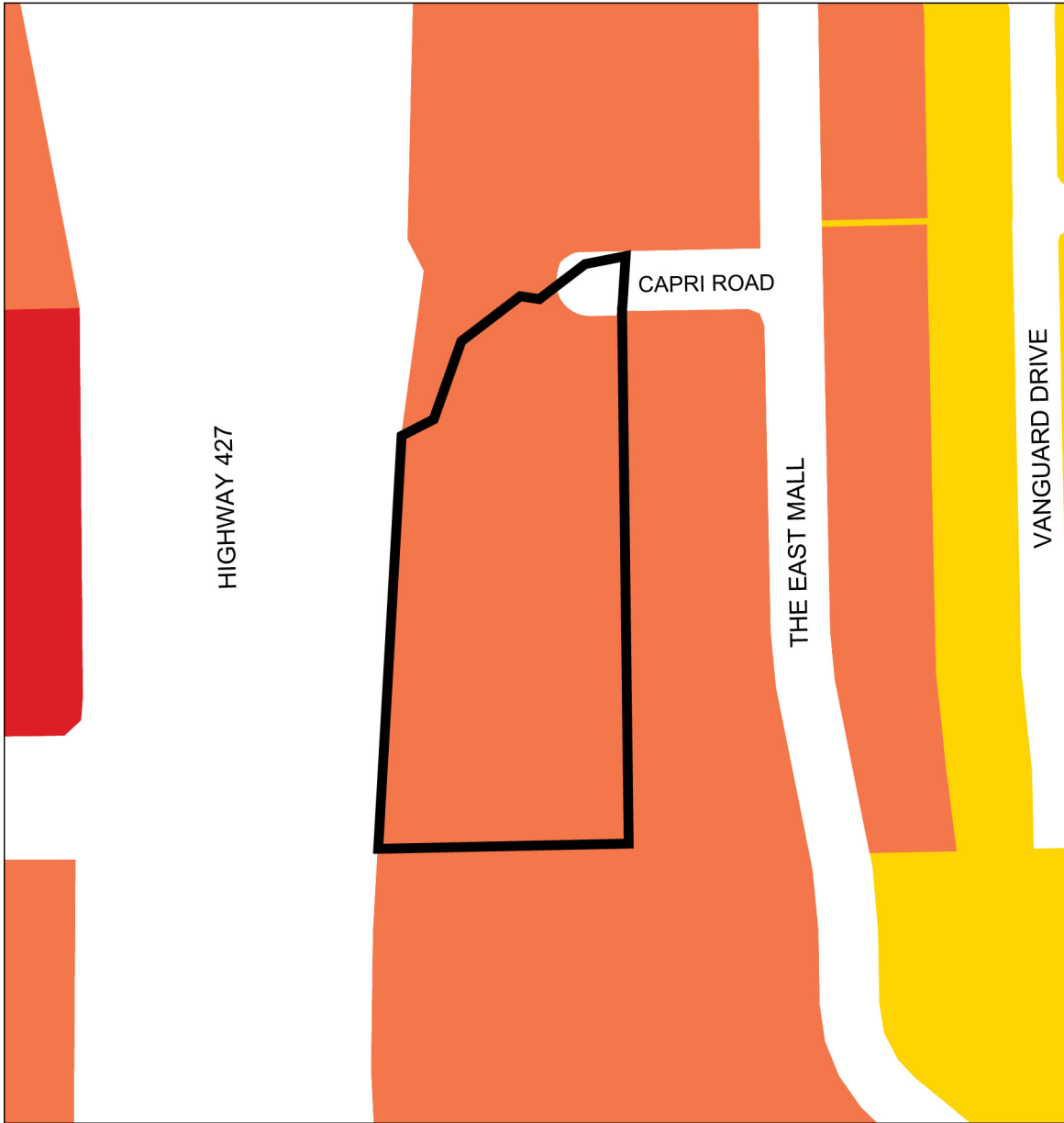
416-394-2946

Nicholas.Deibler@toronto.ca

Attachment 2: Location Map







Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #14

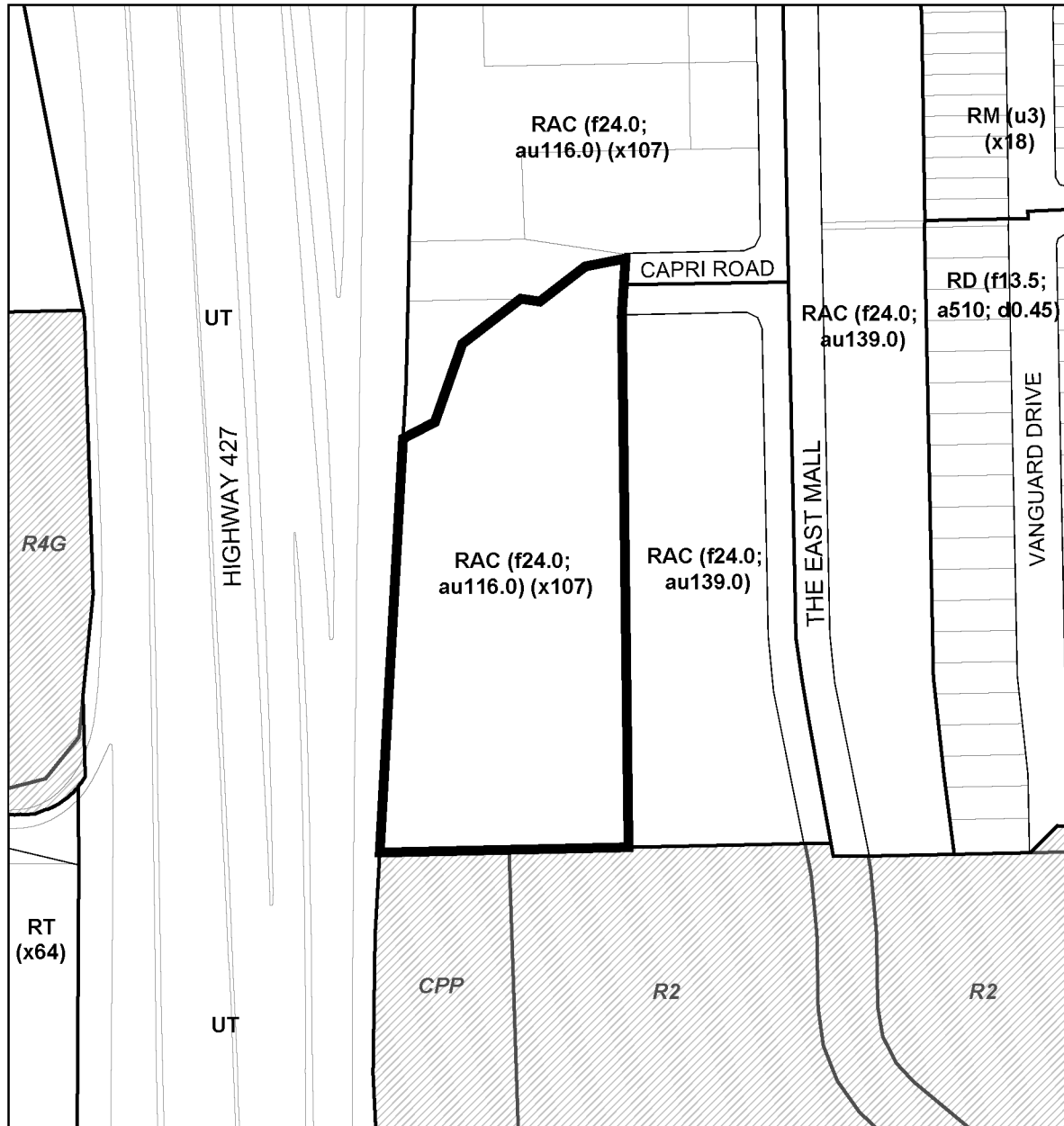
5 Capri Road

File # 21 125098 WET 02 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas


Not to Scale
Extracted: 03/15/2021

Attachment 4: Existing Zoning By-law Map




Zoning By-law 569-2013

5 Capri Road

File # 21 125098 WET 02 0Z

-  Location of Application
- RD** Residential Detached
- RT** Residential Townhouse
- RM** Residential Multiple
- RAC** Residential Apartment Commercial
- UT** Utility and Transportation

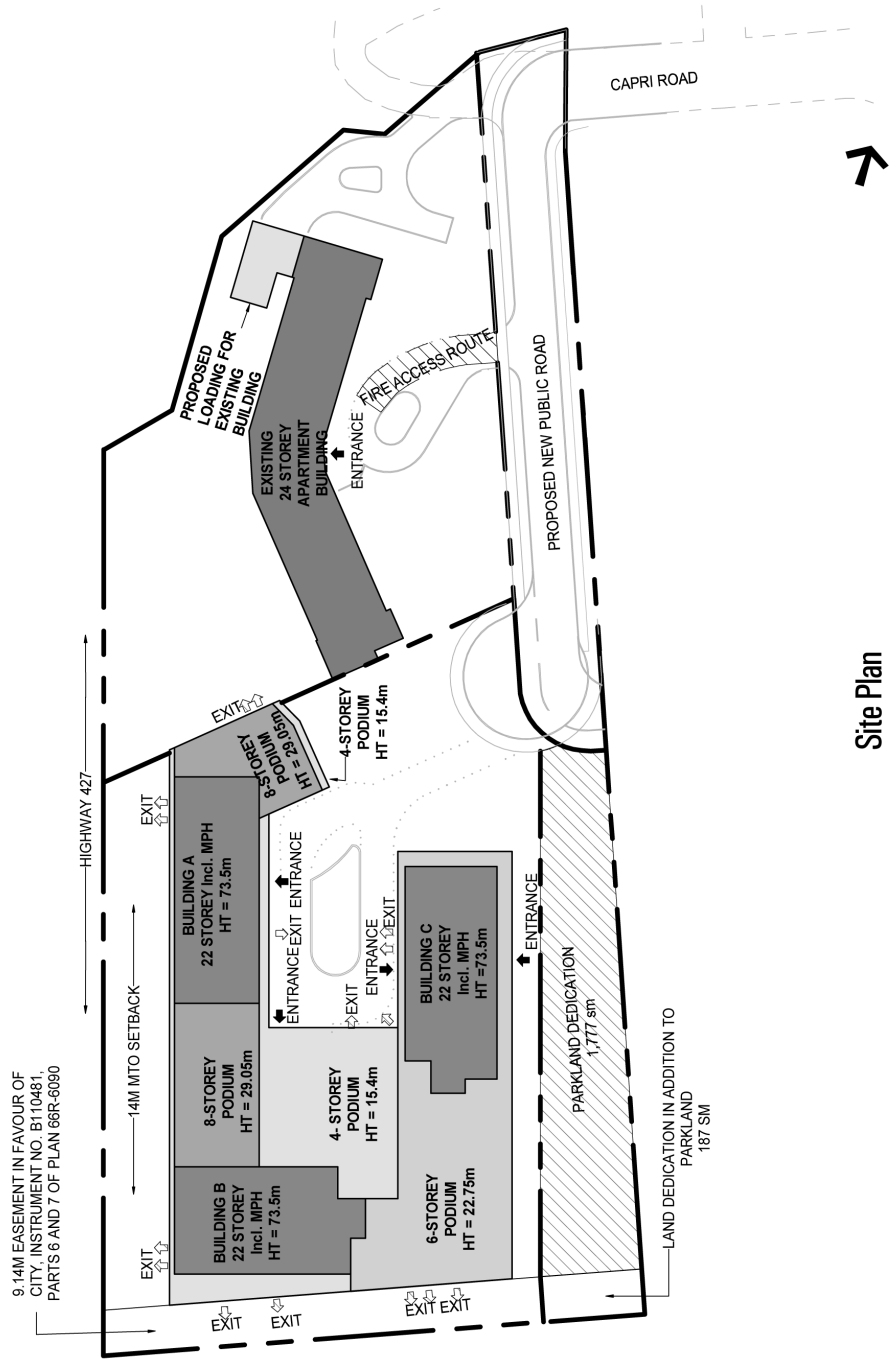
-  See Former City of Etobicoke By-Law No. 11,737
- R2** Second Density Residential Zone
- R4G** Fourth Density Group Residential Zone
- CPP** Planned Commercial Preferred Zone

↑
Not to Scale
Extracted: 03/15/2021

Attachment 5: Draft Zoning By-law Amendment

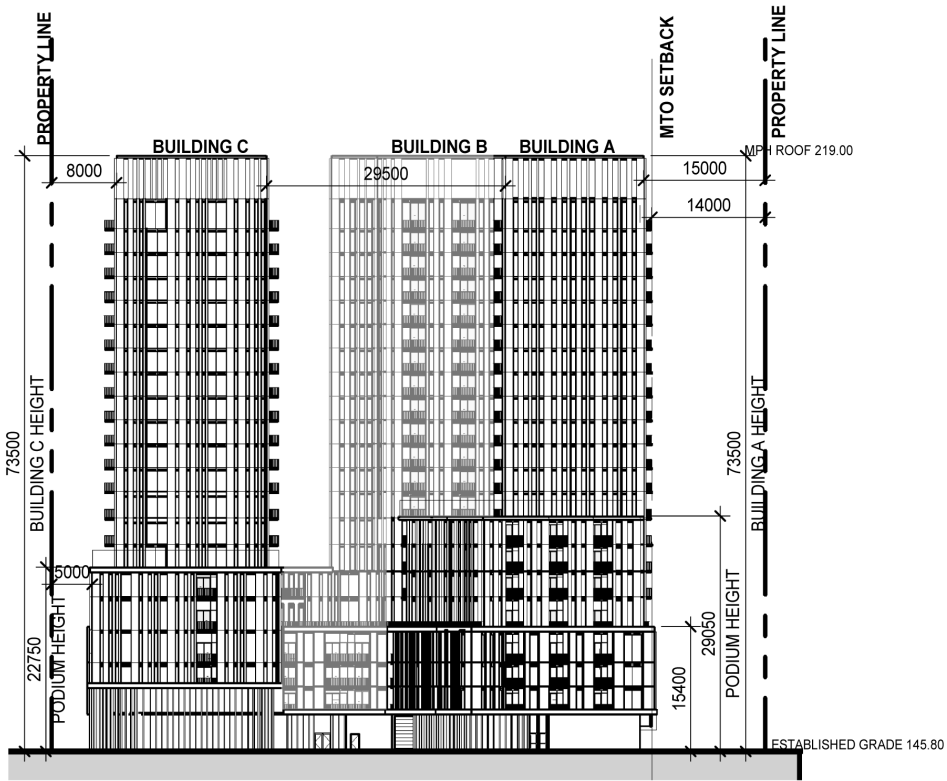
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Attachment 6: Site Plan



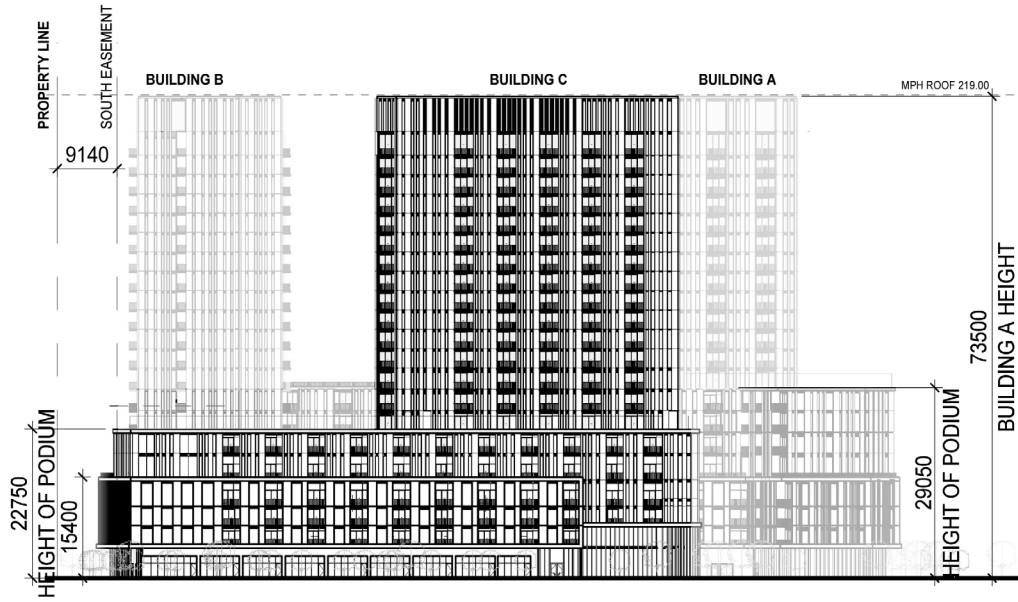
Site Plan

Attachment 7a: North Elevation



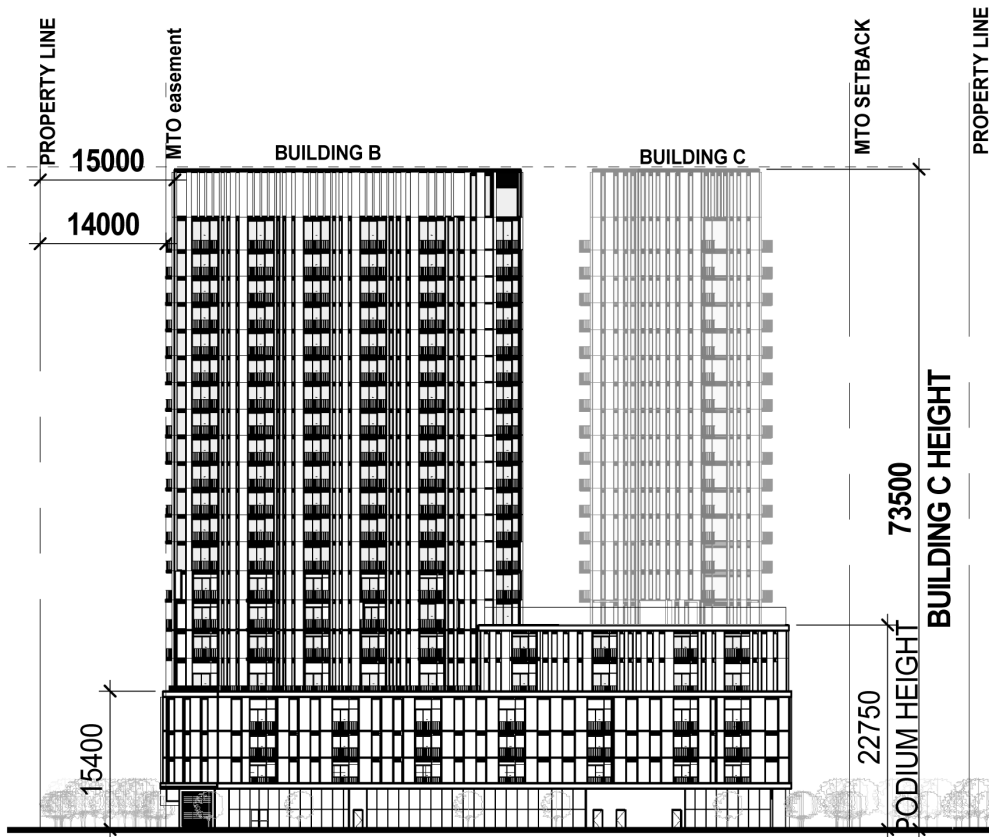
North Elevation

Attachment 7b: East Elevation



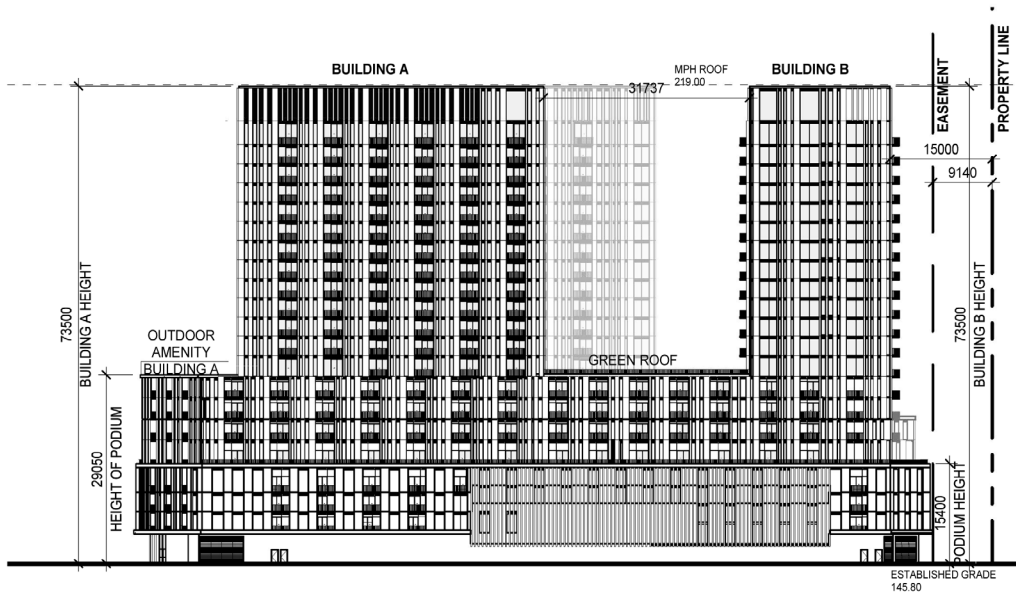
East Elevation

Attachment 7c: South Elevation



South Elevation

Attachment 7d: West Elevation



West Elevation