



STAFF REPORT ACTION REQUIRED

39 Newcastle Street - Official Plan and Zoning By-law Amendment Application - Preliminary Report

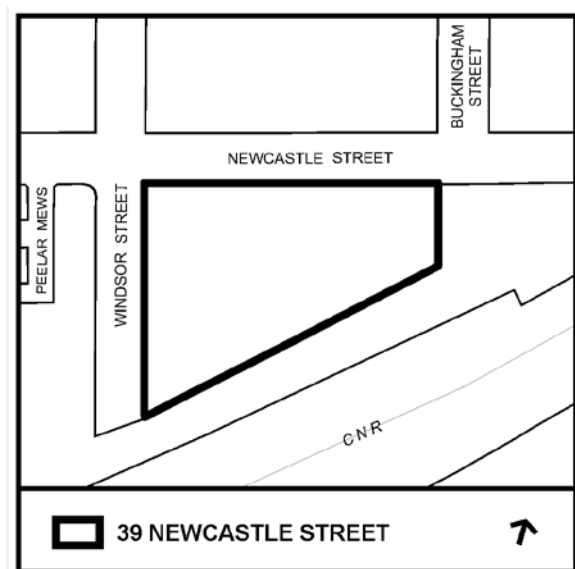
Date:	October 6, 2016
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	P:\2016\ClusterB\PLN\PGMC\PG16118 File Number: 16 198950 WET 06 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-laws to permit a mixed use development within two residential apartment buildings (28 and 30-storeys) connected by a 2 to 7-storey podium having a total of 54,393 m² of gross floor area, of which 7,054 m² would be for retail uses. The development would contain approximately 606 residential units and a total of 983 vehicular parking spaces and 491 bicycle parking spaces. The overall density would be equal to 6.9 times the area of the lot, of which 0.9 times the area of the lot would be for retail uses.

The subject site is located within the boundaries of the Mimico-Judson Secondary Plan. At its meeting of June 7, 2016, City Council adopted the Mimico-Judson Secondary Plan and Urban Design Guidelines. Eleven appeals have been filed to the Ontario Municipal Board (OMB) citing various objections regarding the approved Secondary Plan. CIC Management Services Inc., the applicant for this proposal, is one of the 11 appellants.

While this application is generally in keeping with the policies in the recently approved and appealed Mimico-Judson Secondary Plan, areas of non conformity



exist that will require revisions to the proposal. As currently proposed, this application does not conform with the following policies of the Mimico-Judson Secondary Plan: Rail Safety & Mitigation measures (i.e. 30 m setback from the property line is required whereas 30 m setback is to provided from the rail corridor); Built Form (2 to 7 storey podium whereas a 4-storey podium is permitted); Movement (location and design of the multi-use Mimico-Judson Greenway); and Public Realm (provision of parkland dedication for the new centralized public park). In addition, the proposal is not consistent with the Mimico-Judson Urban Design Guidelines. Through the review of the proposal, it may be determined that additional components of the application do not conform with the Secondary Plan and Urban Design Guidelines.

This report provides preliminary information on the above-noted application and seeks Planning and Growth Management Committee's directions on further processing of the application and on the community consultation process.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 39 Newcastle Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the lands.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.
4. Staff be directed to review the application for 39 Newcastle Street within the context of the approved but appealed Mimico-Judson Secondary Plan and approved Urban Design Guidelines.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of December 16-18, 2013, City Council adopted Official Plan Amendment 231 (OPA 231) at the conclusion of the Municipal Comprehensive Review of Employment lands as part of the City's Five Year Official Plan Review. OPA 231 brought forward amendments to the Official Plan for economic health and employment lands policies, designations and Site and Area Specific Policies. Through the adoption of OPA 231, lands within the Mimico-Judson area were redesignated from *Employment Areas* to *Regeneration Areas*. Site and Area Specific Policies 433 and 434 were approved for the lands to provide additional direction for future change; including 39 Newcastle Street.

On July 9, 2014, the Minister of Municipal Affairs and Housing (MMAH) approved OPA 231, with minor modifications. The Minister's decision was subsequently appealed to the Ontario Municipal Board. The decision history on OPA 231 and the MMAH decision can be accessed at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>
<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/ministers%20decision%20on%20opa%20231.pdf>

On June 22, 2015, the OMB issued an order partially approving OPA 231. The partial approval brought into effect the *Regeneration Areas* designation for the Mimico-Judson area, along with the associated Site and Area Specific Policies. The OMB Order partially approving OPA 231 can be accessed at this link:

[http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/PL140860_Signed%20Board%20Order%20\(June%2022%202015\).pdf](http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/PL140860_Signed%20Board%20Order%20(June%2022%202015).pdf)

Mimico-Judson is one of seven areas redesignated to *Regeneration Areas* resulting from City Council's adoption of OPA 231. In advance of the Minister's decision on OPA 231, City Planning staff initiated six of the seven *Regeneration Areas* studies, including Mimico-Judson. At its meeting on August 25-28, 2014, City Council received a *Regeneration Areas* Studies Status Report from the Chief Planner and Executive Director, City Planning. The report summarized the work and consultation that had been completed and identified emerging issues for this study. The report also identified additional matters each *Regeneration Areas* study would address. This Status Report can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.17>

At its meeting of January 20, 2016, Planning and Growth Management (PGM) Committee considered a Directions Report dated October 28, 2015 from the Chief Planner and Executive Director, City Planning (Item PG9.2). This report presented the results of the Mimico-Judson Regeneration Area Study. PGM Committee recommended that staff distribute the draft Secondary Plan to the public, to be considered at a statutory public meeting to be held by PGM Committee on April 6, 2016. This decision can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG9.2>

At its meeting of April 6, 2016, Planning and Growth Management (PGM) Committee adjourned the public meeting for the Mimico-Judson Secondary Plan and Urban Design Guidelines until May 11, 2016 and directed the Chief Planner and Executive Director, City Planning to hold a community open house prior to that date. This decision can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG11.4>

At its meeting of May 11, 2016, Planning and Growth Management (PGM) Committee adopted the Mimico-Judson Secondary Plan and Urban Design Guidelines with amendments. The amendments included redesignating the lands south of Judson Street between Royal York Road and Willowbrook Road to *Mixed Use Areas* as described as Option 2 in the Urban Strategies Inc. report dated April, 2015, and referenced in the Final Report dated March 16, 2016 from the Chief Planner and Executive Director, City Planning (PG11.4). The Committee amended the staff recommendations in part and requested that the Chief Planner continue to meet with affected landowners to resolve concerns with the Secondary Plan and report directly to City Council on any proposed amendments to address the concerns.

At its meeting of June 7, 2016, City Council adopted the Mimico-Judson Secondary Plan and Urban Design Guidelines, with the amendments noted above, as outlined in a Supplementary Report from the Chief Planner and Executive Director, City Planning dated June 6, 2016. With regards to the proposed development at 39 Newcastle Street, the approval of this Secondary Plan provides for specific building heights and protection for the Mimico-Judson Greenway, as well as appropriate parkland dedication on this property. This decision can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.8> and
<http://www.toronto.ca/legdocs/bylaws/2016/law0532.pdf>

On July 4, 2016, McMillan LLP (on behalf of CIC Management Services Inc.) filed an appeal to the Ontario Municipal Board citing the approved Mimico-Judson Secondary Plan policies (4.6, 5.2, 6.2a and 6.4c) as they relate to the Mimico-Judson Greenway (including Map 35-2), timing of shadows on the new public park, and the metric height requirements for new buildings. In addition to this appeal, 10 other appeals, for various matters, were also submitted to the Ontario Municipal Board.

Pre-Application Consultation

A pre-application consultation meeting was held on January 16, 2016, with the applicant, to discuss complete application submission requirements. At that time, the applicant was advised that submitting an Official Plan and Zoning By-law Amendment application was premature and was advised not to submit the application until the Mimico-Judson Secondary Plan process was completed and approved by City Council. The Secondary Plan was adopted by City Council on June 7, 2016 and a complete application was subsequently submitted on July 29, 2016.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend the Official Plan and Zoning By-laws to permit a mixed use development at 39 Newcastle Street consisting of two residential apartment buildings with heights of 28-storeys (92.8 m) and 30-storeys (98.7 m). The building would be connected by a 2 to 7-storey podium containing a total of 606 residential units (48 one-

bedroom, 310 one-bedroom plus den, 115 two-bedroom, 70 two-bedroom plus den, and 63 three-bedroom). The total gross floor area of the proposal would be 54,393 m², of which 7,054 m² would be for retail uses, and would result in an overall density of 6.9 times the area of the lot. The proposed retail uses would have a density of 0.9 times the area of the lot.

The two residential apartment buildings would be connected by a continuous podium that would be 2-storey in height (14 m) and would animate the frontages of both Newcastle Street and Windsor Street. A 7-storey (29.4 m) mid-rise component would step up from the 2-storey podium, fronting Newcastle Street, and would connect the two proposed towers. The 28-storey tower (92.8 m excluding the mechanical penthouse) would be located at the northeast portion of the site and would front Newcastle Street; the 30-storey tower (98.7 m excluding the mechanical penthouse) would be located at the southwest portion of the site, fronting Windsor Street. The two towers are proposed to have a floor plate no greater than 750 m² and a minimum separation distance of 25 m.

The proposed non-residential uses would be located on the first two floors within the podium portion of the building and would have a floor-to-floor height of 7 m. The ground floor would contain multiple retail units and the second floor would be occupied by a grocery store.

Vehicular access to the building would be provided by a private driveway linking Newcastle Street and Windsor Street. This proposed private driveway would run along the southern limits of the property and would lead to the entrance of the proposed underground parking garage and loading space.

A total of 983 vehicular parking spaces (609 resident parking spaces, 121 visitor parking spaces, 219 parking spaces for the grocery use, and 34 parking spaces for the ground floor retail uses) would be provided on site within a five-level underground parking garage. A total of 491 bicycle parking spaces are also proposed for the site.

The outdoor amenity area for the residential portion of the development would be provided on the roof of the proposed 2-storey podium, directly accessible from a proposed indoor amenity space. Private balconies or terraces would be provided for the majority of residential units. A greenway area is proposed to be located along both the Newcastle Street and Windsor Street frontages instead of running along the south limits of the site, as envisioned by the Mimico-Judson Secondary Plan.

Site and Surrounding Area

The subject site is located at the southeast corner of Newcastle Street and Windsor Road, north of the GO/Metrolinx Rail corridor, south of Portland Street, east of Royal York Road, and west of Grand Avenue. This site is irregular in shape and is approximately 0.79 hectares (1.9 acres) in area with an approximate frontage of 120.6 m on Newcastle Street and 96.3 m on Windsor Street.

The site is relatively flat and is currently occupied by a surface parking lot and gravel staging area for storage bins and containers for the development project 'On the GO Mimico' (315 and 327 Royal York Road). CIC Management Services Inc. is the owner of this site municipally known as 39 Newcastle Street. As part of the Mimico-Judson Secondary Plan, this site is located within the 'Mimico Triangle' which is in the eastern portion of the Mimico-Judson *Regeneration Area*. The entirety of this site is located in Block C (see Attachment 3: Map 35-3 Land Use Designations from the Mimico-Judson Secondary Plan).

Surrounding uses include:

North: Immediately to the north are 1 and 2-storey commercial buildings, with the exception of one single storey residential dwelling. North of Portland Street are detached and semi-detached dwellings (2-storeys in height), walk-up apartments, and a public school (George R. Gauld Junior School).

South: Immediately to the south is an extension of the Mimico GO Station parking lot, with approximately 73 parking spaces and a rail corridor. Further south of the GO/Metrolinx Rail corridor is a 7-storey apartment building (Toronto Community Housing Corporation), a two-storey mixed use building (Blue Goose Tavern), and detached and semi-detached dwellings (2-storeys in height).

East: Immediately to the east is a temporary parking lot for the Mimico GO Station (owned by Metrolinx). This parking lot contains approximately 79 parking spaces. Further east, north of the GO/Metrolinx Rail, are 1 and 2-storey industrial warehouse/office buildings. Currently, a mixed use redevelopment is being proposed, through an Official Plan and Zoning By-law Amendment application, at 1x, 2 and 10 Audley Street, 8 Newcastle Street, and 29, 31, 59, and 71 Portland Street.

West: Immediately west, across Windsor Street, are four townhouse blocks (4-storeys in height). Immediately south of these townhouse units is a cemetery associated with Christ Church St. James. Further south of this cemetery is the construction site for a redevelopment project ('On the GO Mimico') which was adopted by City Council on February 7, 2011 (By-laws No. 244-2011 and 245-2011).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their

implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

The PPS provides for efficient development and land use patterns that sustain the financial well-being of the Province and municipalities over the long term. In particular, Policy 1.1.1 states that healthy, liveable and safe communities are to be sustained by promoting efficient development and land use patterns and accommodating an appropriate range and mix of residential, employment (including industrial and commercial), institutional and other uses. Policy 1.1.3.2(a) states that land use patterns within settlement areas shall be based on densities and a mix of land uses which are transit-supportive, where transit is planned, exists or may be developed. The PPS also provides direction that healthy and livable communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns. In particular, Policy 1.2.6.1 states that major facilities and sensitive land uses (buildings, amenity areas or outdoor spaces) should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities. In addition, Policy 1.6.9.1 states that planning for land uses in the vicinity of rail facilities shall be undertaken so that their long-term operation and economic role is protected, and that rail facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other (in accordance with Policy 1.2.6).

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

The Growth Plan supports mixed-use intensification within built-up urban areas, particularly in proximity to transit. Policy 2.2.3(7) states that intensification areas will be planned and designed to cumulatively attract a significant portion of population and employment growth, provide a diverse and compatible mix of land uses, generally achieve higher densities than the surrounding areas and achieve an appropriate transition of built form to adjacent areas. In particular, Policy 2.2.5(1) states that "major transit station areas" are to be designated in official plans and planned to achieve both "increased residential and employment densities that support and ensure the viability of existing and planned transit service levels" and "a mix of residential, office, institutional, and commercial development wherever appropriate."

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Federation of Canadian Municipalities - Rail Proximity Guidelines (FCM-RAC)

The FCM-RAC Guidelines were issued in 2013 to provide a consistent approach to the design of buildings in proximity to rail corridors. The guidelines provide for standard mitigation measures of separation distance (300 metres for a rail yard and 30 metres for a main corridor) and safety features.

If standard measures cannot be achieved, a viability assessment must be prepared to evaluate any proposed development in terms of its potential for noise, vibration and safety hazard impact from adjacent rail infrastructure.

In this instance, the proposed development, containing residential and other sensitive land uses (as defined by the Provincial Policy Statement, 2014), would be set back a minimum of 30 metres from the rail corridor.

Official Plan

The subject lands are designated *Regeneration Areas* (see Attachment 4: Official Plan). *Regeneration Areas* are unique areas of the City that present an opportunity to attract investment, re-use buildings, encourage new construction and bring life to the streets. These areas are key to the Official Plan's population and employment growth strategy and offer the opportunity to reintegrate underutilized areas of the City. The Official Plan states that each Regeneration Area requires a tailor-made planning framework to help guide future growth that is informed by community consultation and a detailed planning study, and that development should not proceed prior to the approval of a Secondary Plan informed by that study.

Site and Area Specific Policy (SASP) 433 applies to the Judson Street area east of Royal York Road, including the subject lands. SASP 433 states that:

- Specific manufacturing uses (crude petroleum oil or coal refinery; ammunition, firearms or fireworks factory; concrete batching plant; primary processing of limestone or gypsum; and asphalt plant) are prohibited;
- Major retail developments with 6,000 m² or more of space are prohibited; and
- Employment uses are to be compatible with nearby residential uses.

SASP 433 also requires that a revitalization study be undertaken to provide additional direction for future change, by addressing the following:

- Improvements to vehicular access within the area for the movement of goods and employees;
- Public realm enhancements to reduce conflicts between pedestrians and vehicles;
- Provision of amenities within the area to create an attractive environment for existing and new employment uses; and
- Improved pedestrian and vehicular access to the Mimico GO Station, including strategies for parking and pick-up and drop-off.

In addition to the *Regeneration Areas* policies and SASP 433 and 434, additional Official Plan policies were considered as part of the Mimico-Judson Regeneration Area Study.

The Healthy Neighbourhoods policies of the Official Plan identify the need for new neighbourhoods to provide a high quality of life and sense of community. Policy 2.3.1.2 requires that development in *Regeneration Areas*, amongst other land use designations that are close to lands designated *Neighbourhoods*, will be compatible with those neighbourhoods and provide a gradual transition of scale and density, maintain adequate light and privacy, and attenuate resulting traffic and parking impacts.

The Built Form policies provide direction that new development is to be located and organized to fit with its existing or planned context, frame and support adjacent streets and open spaces while providing attractive and functional amenity in both indoor and outdoor spaces in new development.

Official Plan policies also establish that neighbourhoods should provide a full range of housing in terms of form, tenure and affordability and seek to ensure that adequate community services and facilities are provided in areas of growth by adding new parks and other amenities. The Economic Health policies identify that economic opportunities in the City will grow by managing growth and change in ways that guide development to parts of the City where it is most suitable, encouraging high quality architecture, urban design and urban infrastructure.

The Official Plan directs that new parks and open spaces will be located and designed to connect and extend existing parks and open spaces, provide a setting for community life and provide appropriate space and layout for recreational needs.

The *Regeneration Areas* Studies Status Report received by City Council in 2014 identified the following as matters to be addressed. The recommended Mimico-Judson Secondary Plan and Urban Design Guidelines, considered and approved by City Council in June 2016, addressed these matters as outlined in the report:

- Policies to ensure there is a net gain of employment or employment gross floor area as well as any residential redevelopment;
- A streets and blocks plan;
- A greening strategy and parks and open space plan;
- A public realm improvement strategy to improve streets, sidewalks and boulevards;
- An affordable housing strategy;
- A community services strategy;
- Environmental policies to guide the clean-up of lands and policies for staging;
- Buffering from rail corridors and industry or phasing of redevelopment;
- Transportation policies that encourage walking and transit, particularly direct and safe pedestrian routes to the rapid transit station; and

- The scale of development and transition to adjacent areas.

Mimico-Judson Secondary Plan and Urban Design Guidelines

At its meeting of June 7, 2016, City Council adopted the Mimico-Judson Secondary Plan and Urban Design Guidelines. This approval was appealed to the Ontario Municipal Board by 11 parties, including the applicant for the subject application.

Together, the Secondary Plan and Guidelines provide a framework to guide the revitalization of the Mimico-Judson Regeneration Area. The Secondary Plan provides policy guidance to achieve a complete community where people could live, work and undertake activities of daily life within walking distance to higher order transit. The proposed Grand Avenue Extension and Mimico Judson Greenway are significant components of the Secondary Plan. The Design Guidelines provide detailed guidance for achieving the public realm and built form policies contained within the Secondary Plan.

Zoning

The former City of Etobicoke Zoning Code zones the subject lands as I.C1 (Class 1 Industrial). The I.C1 zone permits a range of manufacturing, medical, institutional, commercial/recreational facilities and retail sales. The proposed residential uses are not permitted in the Class 1 Industrial Zone.

The lands are subject to City-wide Zoning By-law No. 569-2013 and zoned Employment Industrial Zone (E1.0), permitting light industrial and other employment uses such as manufacturing, and warehouse and wholesaling uses. Additional uses include offices, eating establishment, retail service and accessory retail store. The proposed residential uses are not permitted in an Employment Industrial Zone category (see Attachment 5: Zoning).

Site Plan Control

The proposal is subject to Site Plan Control. An application for Site Plan approval has not been submitted.

City-Wide Tall Building Design Guidelines

In May 2013, City Council adopted the updated City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Archaeological Assessment

The site is within the City's Interim Screening Areas for Archaeological Potential. A Stage 1 Archaeological Assessment Report has been submitted, and is currently under review by Heritage Preservation Services staff.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. A Tree Inventory Report was submitted with the application and is currently under review by City staff. This report indicates that a total of 4 trees are required to be removed to accommodate the proposed development. Of the 4 trees, only one is a privately-owned tree, which is in fair condition and has a diameter at breast height of 30 cm or greater. The owner will be required to address any outstanding tree protection and injury mitigation issues identified through the review of the application.

Reasons for the Application

An amendment to the Official Plan is required to redesignate the site from *Regeneration Areas* to *Mixed Use Areas*.

The proposed development:

- Does not conform with the Official Plan policies for *Regeneration Areas* which state that a development framework for the area will be developed and that development should not proceed prior to approval of a Secondary Plan; and
- Does not conform with the Mimico-Judson Secondary Plan, adopted by City Council and currently under appeal to the Ontario Municipal Board, and is not consistent with the Mimico-Judson Urban Design Guidelines. In particular, the application, in its current form, does not conform with the following policies in the Secondary Plan: Rail Safety & Mitigation measures; Built Form (podium and tower heights); Movement (Mimico-Judson Greenway); and Public Realm (appropriate parkland dedication for the new centralized public park). Through the review of the proposal, it may be determined that additional components of the application do not conform with the Secondary Plan and Urban Design Guidelines.

In addition, an amendment to the Zoning By-law is required to permit the proposed residential use and establish the appropriate development standards.

The proposed development:

- Does not conform with the former City of Etobicoke Zoning Code which does not permit residential uses on the site; and
- Does not conform with City-wide Zoning By-law No. 569-2013, which does not permit residential uses on the site.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Draft Official Plan Amendment;
- Draft Zoning By-law Amendments;
- Detailed Block 'C' Plan;
- Planning and Urban Design Rationale;
- Community Services and Facilities Study;
- Stage 1 Archeological Assessment;
- Tree Inventory Report;
- Phase One Environmental Site Assessment;
- Geotechnical Investigation;
- Site Servicing Assessment;
- Transportation Study;
- Noise and Vibration Study;
- Pedestrian Wind Assessment;
- Sun/Shadow Study;
- Toronto Green Standard (TGS) Checklist; and
- Physical or Computer Generated Building Mass Model.

A Notification of Complete Application was issued on August 23, 2016.

Issues to be Resolved

The Mimico-Judson Secondary Plan and accompanying Urban Design Guidelines provide a vision and policy framework to guide the revitalization of the area and create a place that supports and protects the continued employment function of area while allowing for opportunities to introduce a mix of uses including residential to enable a new neighbourhood to emerge at contextually appropriate heights and densities. A key objective of the Secondary Plan is to ensure that the evolution of the neighbourhood is supported with hard and soft infrastructure and integrated into the surrounding fabric by providing for much needed connections to the Mimico GO Station for areas that lie beyond the boundaries of the Secondary Plan area, and public realm improvements.

The policies are based on four guiding principles: (1) retain and expand business through land use certainty and flexible mixed use regeneration; (2) unlock underutilized lands for transit supportive mixed use development; (3) protect and support existing operations and future expansion opportunities at the Willowbrook Rail Maintenance Facility; and (4) foster a connected and complete community.

Although this application is generally in keeping with the policies in the recently approved and appealed Mimico-Judson Secondary Plan, areas of non conformity exist that will require revisions to the proposal to achieve the vision for the area. The applicant has been

encouraged to work with staff to develop a proposal that is in conformity with the Secondary Plan.

Issues identified on a preliminary basis include, but are not necessarily limited to:

- Conformity with the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe;
- Conformity with Official Plan policies;
- Review and timing of the application in light of the appeals to the Ontario Municipal Board relating to the Council adopted Mimico-Judson Secondary Plan and Urban Design Guidelines;
- Conformity with the area-specific planning framework in the Mimico-Judson Secondary Plan, adopted by Council and currently under appeal to the Ontario Municipal Board, and the Urban Design Guidelines including:
 - Built Form (podium and tower heights)
 - Economic Revitalization (gross floor area of non-residential uses)
 - Movement (Mimico-Judson Greenway)
 - Public Realm (appropriate parkland dedication for the new centralized public park)
 - Other matters to be identified through the review of this development application
- Consistency with the City-Wide Tall Building Design Guidelines;
- Compatibility and fit with the existing and planned physical character of the area;
- Site layout and organization relative to streets and open spaces;
- Building/block design including the height, scale, massing and intensity of the proposed development and associated impacts;
- Provisions of appropriate building setbacks from street lines and to adjacent properties and separation distances between proposed buildings to ensure appropriate sunlight, skyview and privacy, while minimizing shadowing of adjacent properties, streets and open spaces;
- Streetscape including the reconstruction of Windsor Street;
- Adequacy, appropriateness and location of the proposed indoor and outdoor amenity spaces, landscaping and walkways;
- Interface and setback between the Metrolinx parking lot, rail corridor and the southern property line;
- Potential impacts to the economic function of the Secondary Plan area, particularly as it relates to the adjacent GO Station and Rail corridor operations;
- Ensuring sufficient servicing infrastructure to support the proposed development;
- Provisions for larger residential dwelling units suitable for a broader range of households, including families with children, to support a full range of housing and affordability;
- Review of the Transportation Impact Study to determine any impacts including appropriate parking standards;
- Assessment of noise and vibration impacts and required mitigation measures including a peer review if warranted, the cost to be paid by the applicant;

- Wind comfort levels;
- Adequacy of existing community services and facilities that may be required to serve the development (ie. potential for a daycare centre);
- Waste storage and collection;
- Tree removals and plantings;
- Parkland dedication requirements;
- Public Art; and
- Provision of appropriate community benefits under Section 37 of the *Planning Act*, should the application be approved.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments, the community consultation process, and the refinement of the Mimico-Judson Secondary Plan and Urban Design Guidelines which are currently under appeal to the Ontario Municipal Board.

CONTACT

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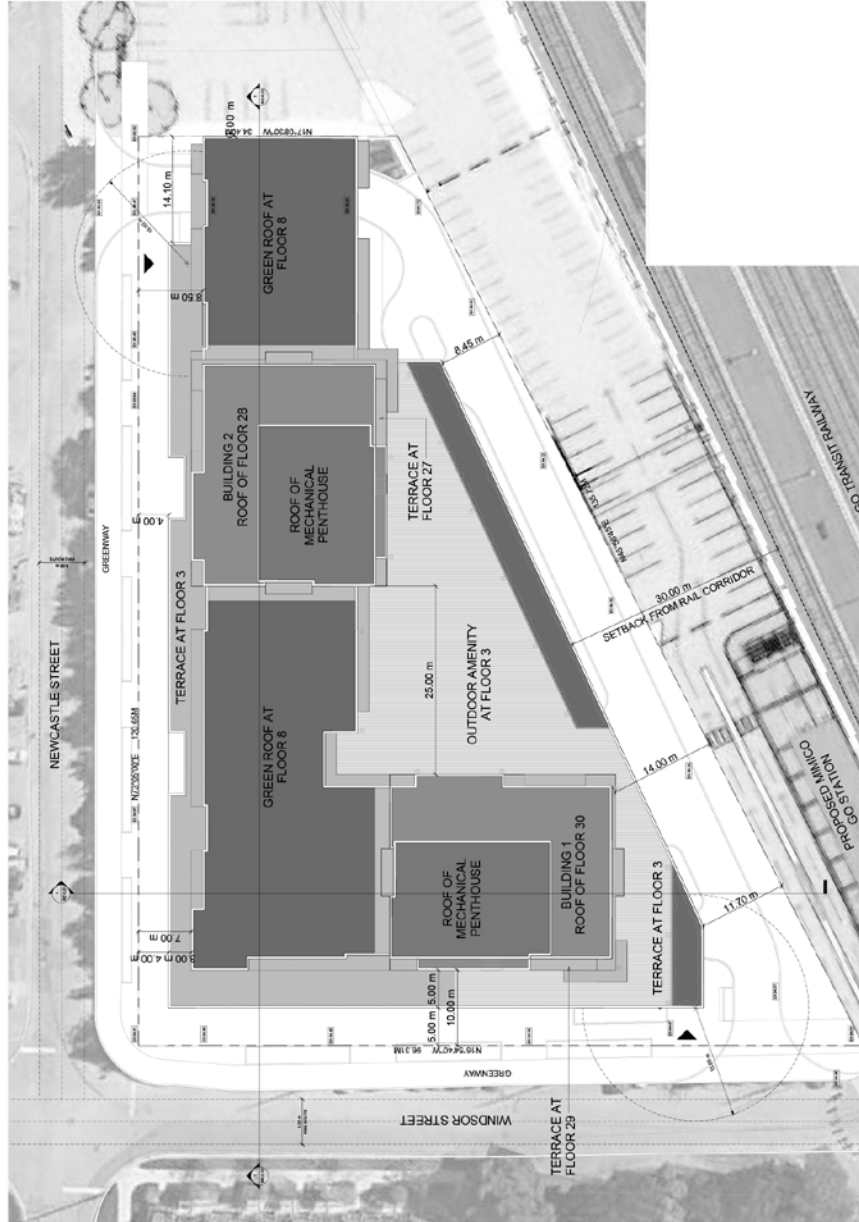
SIGNATURE

Jennifer Keesmaat, M.E.S., MCIP, RPP
 Chief Planner and Executive Director, City Planning Division

ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2: Elevations
 Attachment 3: Map 35-3 Land Use Designations from the Mimico-Judson Secondary Plan
 Attachment 4: Official Plan
 Attachment 5: Zoning
 Attachment 6: Application Data Sheet

Attachment 1: Site Plan



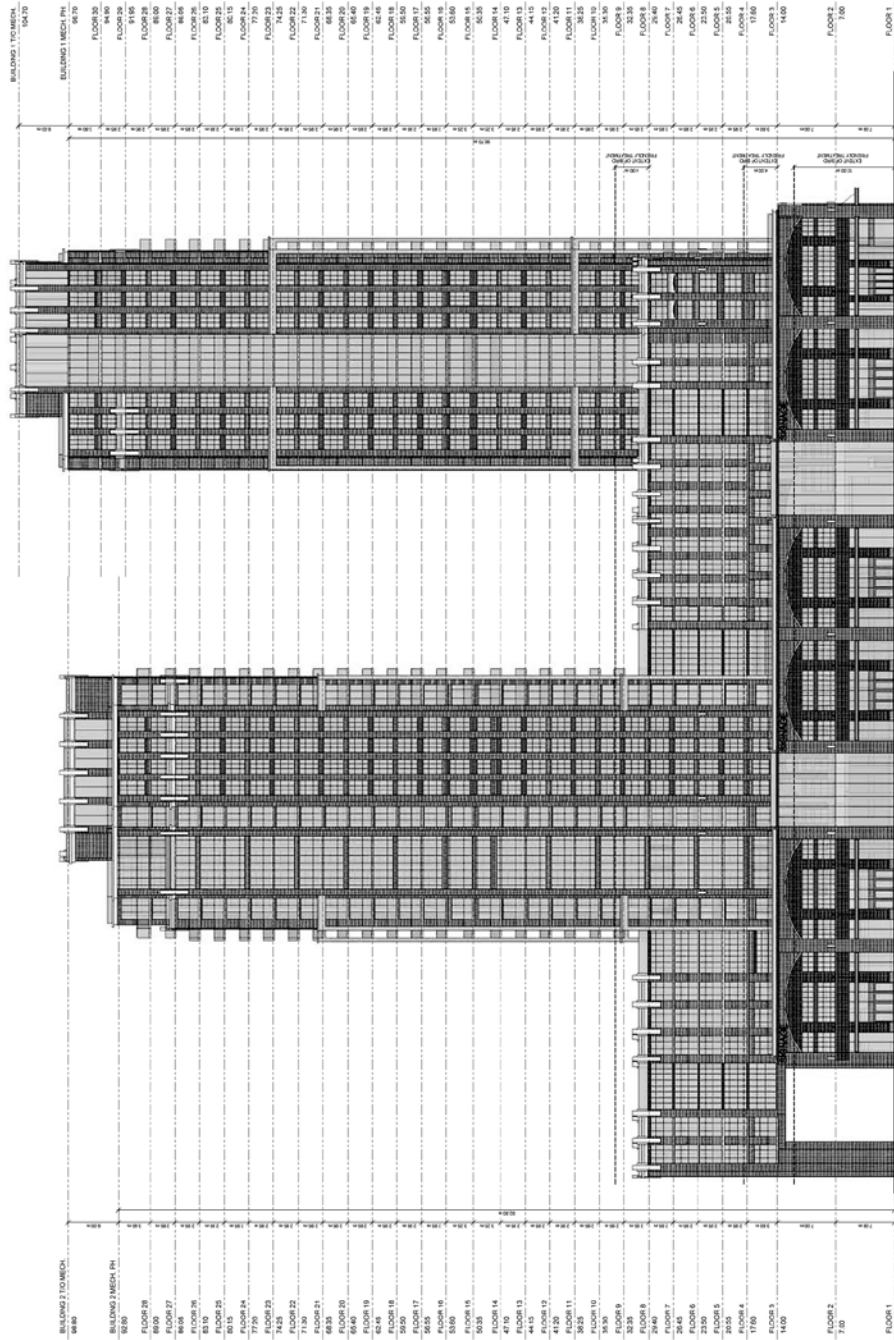
39 Newcastle Street

Site Plan
Applicant's Submitted Drawing

File # 16 198950 WET 06 02

Not to Scale
08/08/2016

Attachment 2: Elevations



North Elevation (along Newcastle Street)

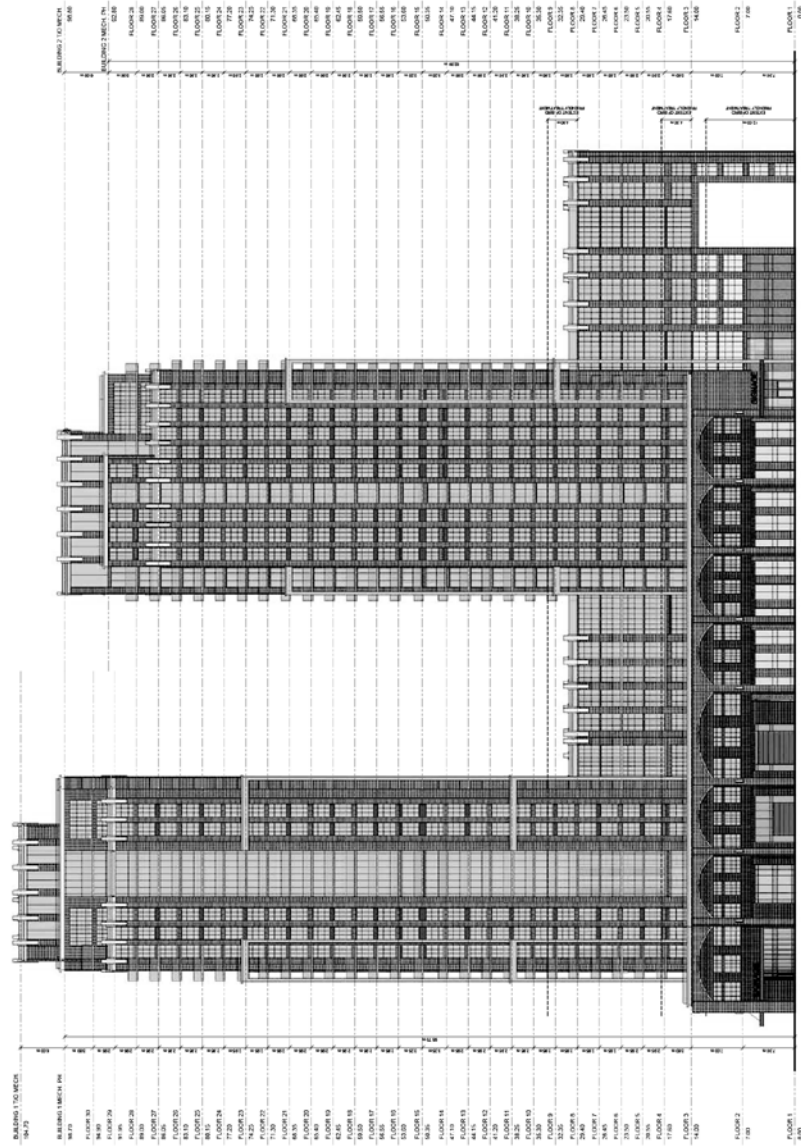
Elevations

39 Newcastle Street

Applicant's Submitted Drawing

Not to Scale
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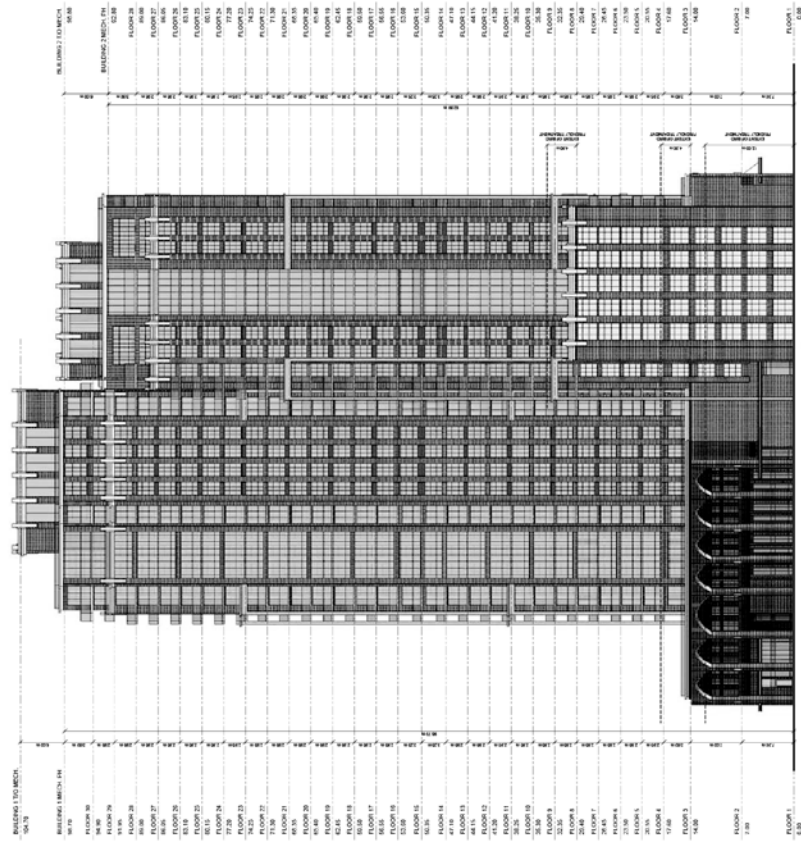
South Elevation

39 Newcastle Street

Elevations
Applicant's Submitted Drawing

Not to Scale
08/09/2016

File # 16 198950 WET 06 02



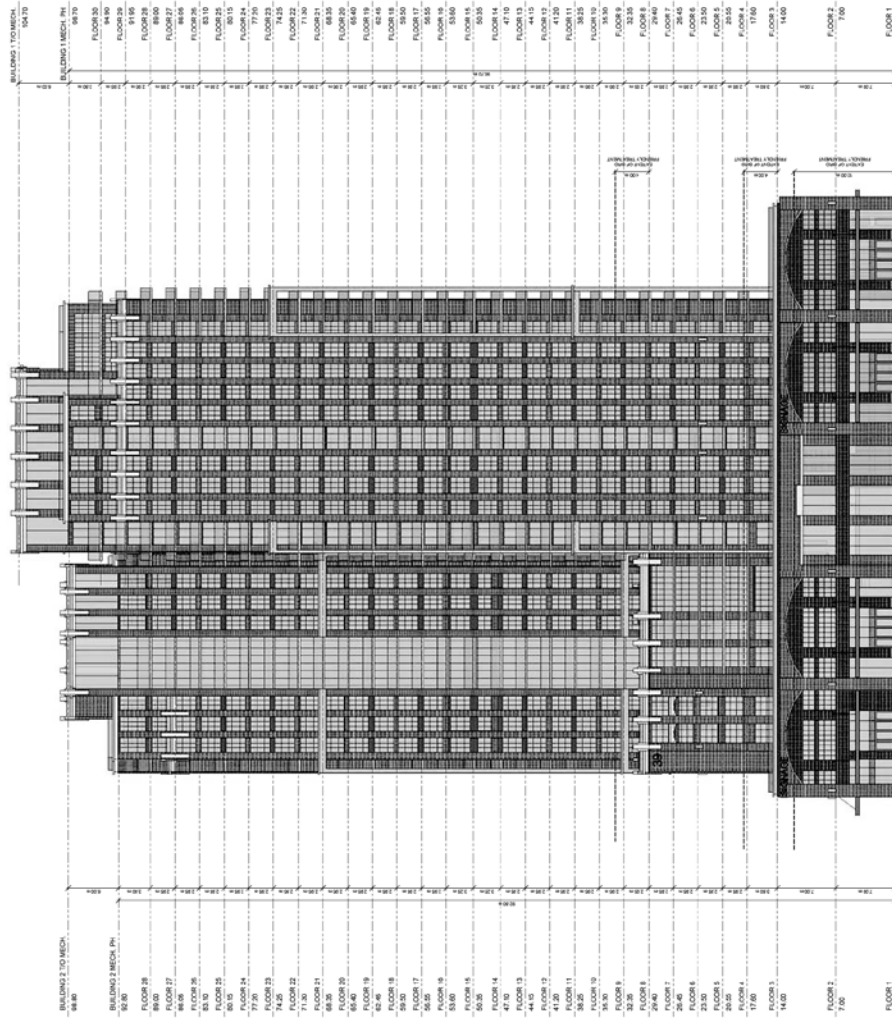
East Elevation

39 Newcastle Street

Elevations
Applicant's Submitted Drawing

Not to Scale
08/09/2016

File # 16 198950 WET 06 02



West Elevation (along Windsor Street)

Elevations

Applicant's Submitted Drawing

Not to Scale
09/08/2016

39 Newcastle Street

File # 16 198950 WET 06 02

Attachment 3: Map 35-3 Land Use Designations from the Mimico-Judson Secondary Plan



↑
Not to Scale



Mimico - Judson Secondary Plan MAP 35-3 Land Use Designations

- Secondary Plan Boundary
- Employment Areas
(Core Employment Areas)
- Mixed Use Areas
(Subject to Development Criteria)

Blocks

NOTE: MAP 35-2 prevails over MAP 35-3 which may impact location of uses.

October 2015

Attachment 4: Official Plan



Toronto
Extract from Official Plan

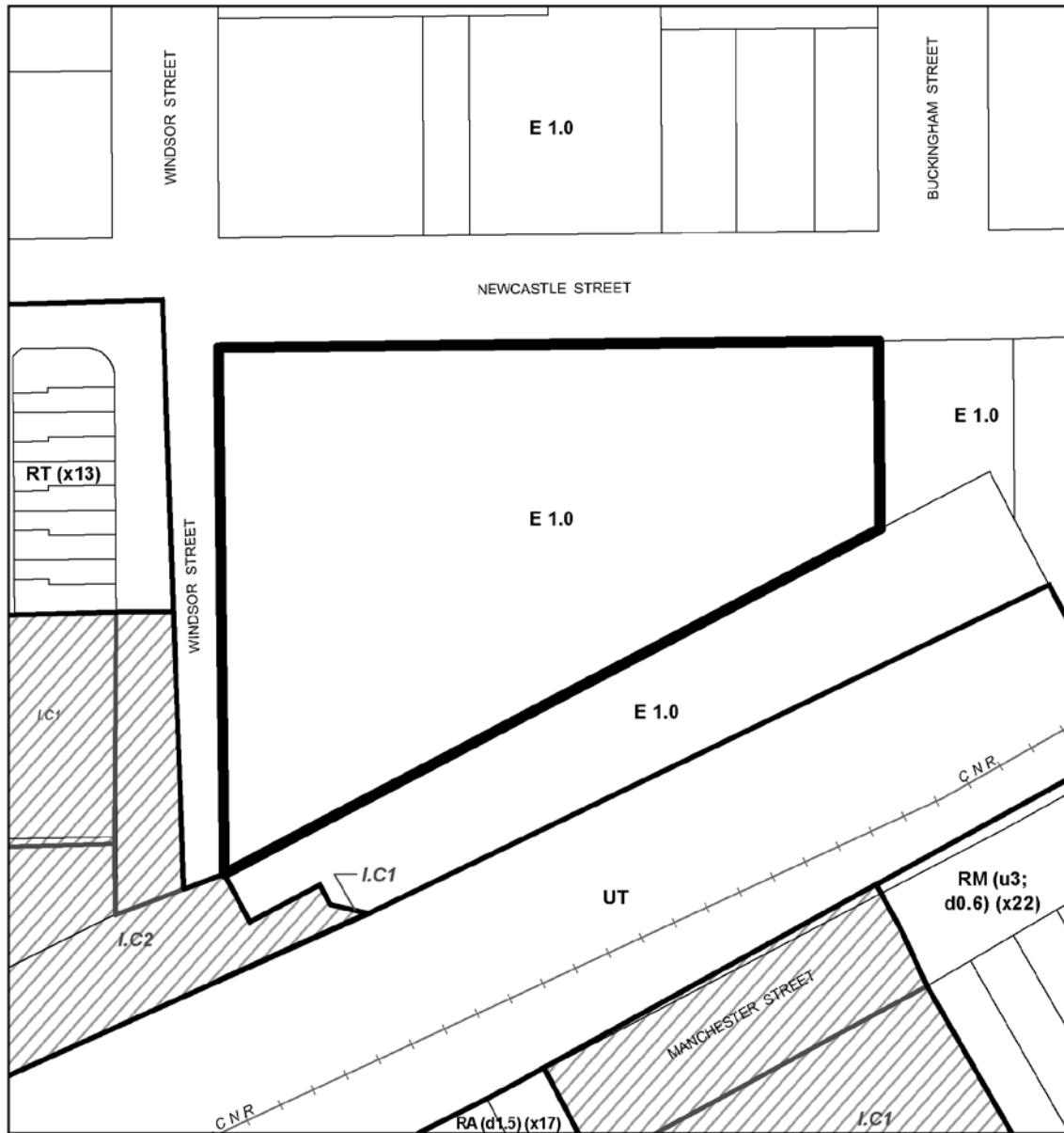
39 Newcastle Street

File # 16 198950 WET 06 02

	Site Location		Parks & Open Space Areas		Regeneration Areas
	Neighbourhoods		Parks		Utility Corridors
	Apartment Neighbourhoods				
	Mixed Use Areas				

↑
Not to Scale
08/08/2016

Attachment 5: Zoning



Zoning By-Law No. 569-2013

39 Newcastle Street

File # 16 198950 WET 06 02



Location of Application

RT Residential Townhouse
RM Residential Multiple

RA Residential Apartment
E Employment Industrial
UT Utility and Transportation



See Former City of Etobicoke (Mimico) By-Law No. 1930

I.C1 Class 1 Industrial
I.C2 Class 2 Industrial



Not to Scale
Extracted: 08/08/2016

Attachment 6: Application Data Sheet

Application Type	Official Plan & Zoning By-law Amendment	Application Number:	16 198950 WET 06 OZ
Details	OPA & Rezoning, Standard	Application Date:	July 29, 2016

Municipal Address: 39 NEWCASTLE STREET

Location Description: PLAN M177 LOTS 1 TO 6 AND 8 AND PART OF LANE **GRID W0607

Project Description: Proposed amendments to the Official Plan and Zoning By-laws to permit a mixed use development within two residential apartment buildings (28 and 30-storeys) connected by a 2 to 7-storey podium. A total of 606 residential units and 54,393 m² of gross floor area is proposed of which 7,054 m² is for retail uses. A total of 983 vehicular parking spaces would be provided within a 5 level underground parking garage.

Applicant:	Agent:	Architect:	Owner:
CIC MANAGEMENT SERVICES INC.	CIC MANAGEMENT SERVICES INC.	TURNER FLEISCHER ARCHITECTS INC.	CIC MANAGEMENT SERVICES INC.

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	SASP 433 and 434
Zoning:	I.C1, E1.0	Historical Status:	
Height Limit (m):	16.5 and 91.5 (4-storeys and 30-storeys), as per Secondary Plan	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	7,891	Height:	Storeys:	2, 7, 28, 30
Frontage (m):	120.6		Metres:	14, 29.4, 92.8, 98.7
Depth (m):	96.3			
Total Ground Floor Area (sq. m):	2,892			Total
Total Residential GFA (sq. m):	47,339		Parking Spaces:	983
Total Non-Residential GFA (sq. m):	7,054		Loading Docks	4
Total GFA (sq. m):	54,393			
Lot Coverage Ratio (%):	36.6			
Floor Space Index:	6.9			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	
Bachelor:	0
1 Bedroom:	358
2 Bedroom:	185
3 + Bedroom:	63
Total Units:	606

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	47,339		0
Retail GFA (sq. m):	7,054		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

CONTACT: **PLANNER NAME:** **Sabrina Salatino, Planner (416) 394-8025**