

## **39 Newcastle Street – Official Plan and Zoning By-law Amendment Application – Decision Report - Approval**

**Date:** May 7, 2026

**To:** Etobicoke York Community Council

**From:** Director, Community Planning, Etobicoke York District

**Ward:** Ward 3 Etobicoke-Lakeshore

**Planning Application Number:** 25 212266 WET 03 OZ

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit two 43-storey buildings (143.23 metres and 143.93 metres including mechanical penthouse) and one 39-storey building (138 metres including mechanical penthouse) with a gross floor area of 106,132 square metres at 39 Newcastle Street. The proposal includes approximately 1,579 residential units, a 354 square metre privately owned publicly-accessible space and 750 square metres of non-residential uses.

### **RECOMMENDATIONS**

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

1. City Council amend the Official Plan, for the lands at 39 Newcastle Street substantially in accordance with the draft Official Plan Amendment attached as Attachment 7 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 39 Newcastle Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required.

### **FINANCIAL IMPACT**

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There are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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On February 13, 2020, the Local Planning Appeal Tribunal approved an Official Plan and Zoning By-law Amendment for the subject site for the development of four towers ranging from 22 to 36 storeys.

On April 8, 2022, the provincial government issued a Ministerial Zoning Order (MZO) (O. Reg. 337/22) for the subject site and a portion of the Metrolinx-owned lands. The MZO permitted a mixed-use development of up to four towers varying in height from 77 metres to 199.5 metres. The MZO was revoked by the provincial government on December 20, 2024.

## **THE SITE AND SURROUNDING LANDS**

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### **Description**

The site is located on the southeast corner of Newcastle Street and Windsor Street (see Attachment 2 for the Location Map). The site is approximately 7,889 square metres and is irregularly shaped (triangular) with 120 metres of frontage on Newcastle Street and 96 metres of frontage on Windsor Street. Vehicular access to the site is currently from Windsor Street. The site directly abuts the Mimico GO Transit Station lands to the south and east and Elisa House crisis care shelter and additional low-rise commercial buildings on the north side of Newcastle Street.

A mixed-use development was previously approved to the north of the site at 21 Windsor Street in June, 2025. On the west side of Windsor Street, the uses include a low-rise town house complex, the Christ Church St. James Memorial Garden and cemetery and vacant property (327 Royal York Road) part of a recently approved mixed-use development. The site is currently inactive, cleared and enclosed with construction hoarding. The topography of the site is generally flat.

## **THE APPLICATION**

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### **Description**

The application proposes to amend the Official Plan and Zoning By-law 569-2013 to permit three high-rise towers oriented around an internal circulation courtyard and joined at a mezzanine level. The proposed development is organized in two phases. Phase 1 which would contain Tower C, a 42 storey (143.93 metres, including the mechanical penthouse) residential building with a five storey base building. Phase 2 which would be comprised of Towers A and B, with heights of 42 storeys (143.23 metres, including the mechanical penthouse) and 39 storeys (138 metres, including the mechanical penthouse) respectively which are joined by a five storey base building that steps up to seven storeys.

The proposal includes 1,579 residential rental units, 750 square metres of non-residential uses and a 354 square metre privately owned publicly-accessible space (POPS). Refer to Attachment 1 for the Application Data Sheet.

### **Density**

The proposal has a density of 13.4 times the lot area.

### **Dwelling Units**

The proposal includes a combined total of 1,579 dwelling units including, 85 studio units (5.4%), 1,000 one-bedroom units (63.3%), 330 two-bedroom units (20.9%), and 164 three-bedroom units (10.4%).

### **Amenity Space**

A minimum of three square metres of combined indoor and outdoor amenity space per dwelling unit is proposed.

### **Access, Parking and Loading**

The vehicular access to both phases would be provided through a consolidated private driveway from Newcastle Street. An internal servicing courtyard would service all three buildings. Six passenger pick-up/drop-off (PUDO) spaces would be provided for the west phase and two for the east phase that would be accessed from the private driveway at ground level. Four levels of underground parking are proposed, divided into east and west garages for each phase of the proposed development. In total, 429 vehicular parking spaces with 593 bicycle parking spaces will be provided underground and at street level for residents and visitors.

The proposed development includes one type "G" and one type "C" loading space per phase for a total of two type "G" and two type "C" spaces on-site.

### **Additional Information**

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <http://www.toronto.ca/39newcastlest>

### **Reasons for Application**

The proposal requires an amendment to the Mimico-Judson Secondary Plan and Site and Area Specific Policy 861, to allow for the proposed heights, density, shadow impact, site organization and non-residential uses.

An amendment to Zoning By-law 569-2013 is required to permit the proposed land uses, maximum height, residential density, building setbacks and other performance standards.

## **POLICY CONSIDERATIONS**

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

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024) and shall conform to provincial plans.

### **Major Transit Station Areas and Protected Major Transit Station Areas**

On August 15, 2025, the Minister of Municipal Affairs and Housing approved and made modifications to Council-adopted Official Plan Amendments (OPAs) for 25 Major Transit Station Areas (MTSAs) and 95 Protected Major Transit Station Areas (PMTSAs) across the city. Major Transit Station Areas (MTSAs) are defined as areas within an approximate 500-800 metre radius of an existing or planned higher order transit station (e.g. subways, GO transit, and light-rail transit). Protected Major Transit Station Areas (PMTSAs) are a subset of MTSAs, which put in place a more detailed planning framework identifying permitted uses and permitted development densities (expressed in Floor Space Index – FSI) within the delineated areas. The Minister’s decisions made modifications to the height and density permissions within the delineated boundaries of the 120 approved MTSAs and PMTSAs.

### **Site and Area Specific Policy 692**

The site is included within the boundary of SASP 692, which requires development in the Mimico Station PMTSA to achieve a minimum population and employment target. Lands designated Mixed Use Areas are permitted a FSI of 8.0 or more within 200 metres of transit stations.

### **Official Plan**

The site is designated *Mixed Use Areas* on Map 15 of the Official Plan. *Mixed Use Areas* are intended to absorb most of the anticipated increase in new housing, retail and office uses in Toronto. *Mixed Use Areas* are also intended to provide housing and a mix of uses that activate the street. Sites with existing higher order transit, offer unique opportunities where redevelopment at a greater scale may be appropriate. See Attachment 3 of this Report for the Official Plan Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

### **Mimico-Judson Secondary Plan Area**

The site falls within the Mimico-Judson Secondary Plan (MJSP), which was approved by the Ontario Land Tribunal in 2022 (Case OLT-22-003921), through which it was redesignated as *Mixed Use Areas*. The MJSP identifies a development framework to allow for continued and expanded employment capacity as well as targeted opportunities to introduce residential uses to deliver transit oriented, complete communities. See Attachment 4 for a map of subject site within the MJSP.

## **Site and Area Specific Policy 861**

The site is subject to Site and Area Specific Policy (SASP) 861, which pertains to lands within the block on the southeast corner of Newcastle Street and Windsor Street. The subject block is identified as C1 in the SASP. Due to its proximity to the Mimico GO Station, the block is identified as being uniquely positioned to provide desired public infrastructure as well as a mix of residential and non-residential uses to advance the vision of the MJSP.

For block C1, the SASP identifies maximum residential gross floor area (GFA) building heights, typologies, layout, setbacks and the provision of a minimum GFA of non-residential uses as illustrated in Map C1 (Attachment 5). The provision of the Mimico-Judson Greenway along Newcastle Street and Windsor Street is outlined in the SASP and Map C1.

## **Zoning**

The site is zoned “Employment Industrial” (E 1.0) under the City-wide Zoning By-law (569-2013), which permits a wide range of non-residential uses. See Attachment 6 of this report for the Zoning Map.

## **Design Guidelines**

The following [design guidelines](#) have been used in the evaluation of this application:

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

## **Toronto Green Standard (TGS)**

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

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

On November 12, 2025, a virtual community consultation meeting was hosted by City staff. A total of 9 people attended, as well as the local Councillor. Comments and questions raised at the Community Consultation Meeting and through email and telephone communication include:

- Questions about the tenure of the units being proposed; and
- Questions regarding the alignment and location of the Mimico-Judson Greenway.

The issues and comments raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this report.

## COMMENTS

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### Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff find the proposal consistent with the PPS (2024).

### Official Plan Policies and Design Guidelines

This application has been reviewed against the relevant Official Plan policies, and design guidelines described in the Policy and Regulation Considerations Section of this Report.

### Land Use

The proposed residential and commercial uses are appropriate within a *Mixed-Use Areas* designation.

Development Review staff are recommending an amendment to the Mimico-Judson Secondary Plan and SASP 861 to permit a decreased non-residential gross floor area of 750 square metres and to allow for increased building heights and tower floorplates.

The Mimico-Judson Secondary Plan (MJSP) and SASP 861 require a minimum gross floor area (GFA) of non-residential uses of 2,350 square metres for a maximum of 62,700 square metres of residential GFA. This application proposes a minimum of 750 square metres of retail space at the ground level of buildings A and B. The non-residential GFA increased from 500 to 750 square metres from the first to the second submission respectively. The retail space in Tower A is located near the entrance to the Mimico GO Station, while the retail space in Tower B will introduce a retail presence on Newcastle Street.

Staff are of the opinion that the site is well suited for non-residential development as part of the envisioned complete community, and are supportive of further increases to the amount of non-residential uses on site. Currently, there is a high demand for retail space in the local area with vacancy rates of 0.6%. The proposed ground level retail space of 750 square metres will help address this need, however as the number of residents increases, so will the demand for more of a broad range of uses. These uses may include commercial uses such as family/specialized wellness and medicine,

professional services, fitness/gyms, flex/co-working spaces and spaces for community services or other social/cultural organizations.

The current proposal maximizes the amount of ground floor space that is dedicated to retail uses. To try to increase the non-residential provision, City staff encouraged the applicant to explore the potential for second floor non-residential uses as part of the revised submission. In response, the applicant has submitted a Non-Residential Market Feasibility Opinion Memorandum prepared by N. Barry Lyon Consultants Ltd. that provided the following conclusion: non-residential space should be limited to highly visible/accessible grade-related convenience-based retail; thresholds to support a broader range of retail are unlikely to be met given the early stage of development in the area; second-storey retail or other service-commercial (e.g. medical or personal services) space is not considered viable or supported; and traditional office uses are not considered viable under current conditions and trends.

Staff are recommending a requirement for a minimum of 750 square metres of non-residential GFA in the draft Official Plan Amendment and Zoning By-law Amendment. The applicant has maximized the amount of ground floor retail uses which helps address the high demand for retail uses in the area. Furthermore, the proposed retail uses will serve future residents in this area while also contributing to the establishment of complete communities. Based on the above, staff have concluded that the reduction in the minimum required non-residential space on this site is appropriate and are supportive of the proposed amendment to reduce the minimum non-residential requirement.

### **Density, Height, Massing and Public Realm**

The site is located within a *Mixed Use Areas* designation and the Mimico Station Protected Major Transit Station Area (PMTSA) as it is adjacent to the Mimico GO Transit Station to the south and east. The site is also within the Mimico-Judson Secondary Plan and SASP 861. The SASP currently permits three tall buildings ranging between 22 to 36 storeys joined by three to five storey podiums. Two 43-storey buildings were recently approved at 327 Royal York Road. Additionally, a 36 and 42-storey building was approved at 21 Windsor Street in June, 2025.

The proposed density, height and massing conforms with the intent of the *Mixed Use Areas* Official Plan policies with respect to built form and meets the intent of the Tall Building Design Guidelines.

The building height on this site is limited due to Nav Canada's Minimum Vectoring Altitude (MVA). MVA are specific altitudes used by Air Traffic Controllers to provide safe, orderly and expeditious movements of aircraft that operate in the complex airspace that surrounds Lester B. Pearson International Airport and Billy Bishop Toronto City Airport. Buildings and construction cranes that exceed 237.7 metres above sea level would impact the MVA and are not permitted. The height of the proposed buildings is below Nav Canada's MVA.

The proposal includes three towers. Tower A and C are 42-storeys (143.93 metres, including the mechanical penthouse) and Tower B is 39-storeys (138 metres, including

the mechanical penthouse). The towers would be located above two base buildings ranging from five to seven storeys and joined at the mezzanine level. Between the proposed base buildings in the centre of the site is a courtyard that supports a consolidated access, circulation and servicing for all three buildings. This internal courtyard would be covered by a mezzanine level that links together the two base buildings, which internalizes and conceals all loading, servicing, and pick-up and drop-off activity. The consolidated access off Newcastle Street helps achieve the goals of the Mimico-Judson Secondary Plan and Mimico-Judson Urban Design Guidelines by reducing the number of vehicles using Windsor Street contributing to a pedestrian focused street providing access to the Mimico GO Station.

The proposed base buildings are setback three metres from the property lines along Windsor Street and Newcastle Street creating a consistent street wall and providing space for public realm improvements including an extension of the Mimico-Judson Greenway. The base building between Towers A and B is further setback 17 metres from Windsor Street to accommodate a 354 square metre privately owned publicly accessible space (POPS). The Mimico-Judson Urban Design Guidelines recommend a four metre base building setback along Newcastle Street and five metres along Windsor Street. Although the proposed setbacks are reduced, they continue to provide adequate space for the delivery of the public realm vision for the area, including five metre wide pedestrian walkways, street trees, planters, street furniture, the Mimico-Judson Greenway and a POPS. The ground floor of towers A and B include retail uses that animate the public realm while the POPS provides a public place for future residents and visitors to gather near the entrance to the Mimico GO Transit Station.

The proposed tower elements of the building are appropriately set back six metres from the property lines. The tower floorplates of Towers A, B and C are 890, 870 and 815 square metres respectively. The tower elements of Towers A and B are generally oriented east-west with Tower A being slightly offset resulting in an unparallel building facing condition. The tower element of Tower C is opposite as it is oriented north-south, limiting the portions of Towers A and B facing Tower C. All of the proposed towers provide adequate separation from buildings on the site and adjacent properties. A 25-metre separation distance is maintained between Towers A and B. An increased tower separation of 27.5-metres between both Towers A and B to Tower C has been secured in the draft Zoning By-law Amendment. Additionally, a 12.5-metre separation has been secured from the tower element of Tower C to the east lot line.

The site's unique context, in particular its immediate proximity to the Mimico GO Transit Station, supports a higher density of development, as intensification in transit-accessible locations is promoted and encouraged by the policies of the Official Plan and Provincial Policy Statement (PPS). The proposed increased floorplates are not anticipated to result in adverse impacts due to the varied orientations and increased tower separation distances which have been secured in the draft Zoning By-law Amendment. The proposal fits within the planned context of the Mimico-Judson Secondary Plan Area and staff are supportive of the proposed height, density, massing and public realm.

## **Shadow Impact**

A detailed sun and shadow study was submitted in support of the proposed development, which outlines the shadows cast by the proposed 39 to 42 storey buildings. Development Review staff are recommending an amendment to the Mimico-Judson Secondary Plan and SASP 861 that requires shadows to be adequately limited on *Neighbourhoods* and *Parks and Open Spaces*. The shadow impact resulting from the proposal is acceptable. The shadow study shows the extent of the shadow from the proposed buildings during the spring and fall equinoxes (March 21 and September 21).

During the equinoxes, the shadows cast do not affect most of the surrounding parks or schools, except for an hour during the early morning on the northeast corner of Christ Church St. James Memorial Garden and Cemetery and two hours (5:00 to 6:00 pm) on the western portion of Manchester Park. Additional shadow impacts occur on the future parks located to the north at 20 and 8 Newcastle Street, with approximately two hours of afternoon shadowing occurring in March between 3:00 to 5:00 p.m. and in September between 2:00 to 4:00 p.m. These shadows partially overlap with the shadows cast by the recently approved development at 21 Windsor Street which shadows these parks for approximately two hours between 4:00 to 6:00 p.m. in March and September. The parks would have sunlight up to 3:00 p.m. and after 5:00 p.m. in March and up to 4:00 p.m. and after 6:00 p.m. in September. In June, during the summer solstice, the shadows are minimal and would impact the southwest corner of the future park at 20 Newcastle Street for less than an hour at 2:00 p.m.

The resulting shadows from the proposed development in many cases overlap with other approved developments within the immediate vicinity, including the development at 21 Windsor Street, limiting net new shadows except for the shadows cast on the proposed new parks northeast of the site. Given the proximity of the proposed parks to the subject property, shadow impacts would be unavoidable when contemplating tall building development on the site. The shadow impacts from the previous approval on the subject site for three towers ranging between 22-36 storeys are similar the impacts from the currently proposed development. Staff consider the impact to be acceptable and consistent with the other approvals in the planned context.

## **Wind Impact**

A Pedestrian Level Wind Study was submitted in support of the proposed development, which assesses pedestrian wind conditions within and surrounding the site to ensure pedestrian comfort and safety.

The Pedestrian Level Wind Study measured and tested wind gust velocities at 76 locations. Once the subject site is developed, most public sidewalks within and surrounding the proposed development will experience wind conditions suitable for walking or better during each seasonal period, which is acceptable for the intended uses of the spaces. Additional design considerations to further respond to potential wind impacts will be reviewed and secured through the Site Plan review process, as recommended in the Wind Study.

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

The applicant submitted a Transportation Impact Study in support of the proposal. The current TIS states that the proposed development is expected to generate 132 and 186 two-way vehicle trips during the weekday morning and afternoon peak hours, respectively.

Given the expected trip generated and the results of the traffic analyses, the report concludes that the projected traffic generated by the development would have minimal impacts on areas surrounding the site and can therefore be accommodated on the adjacent road network.

A consolidated six-metre vehicular access point to the site is proposed from Newcastle Street for both phases. The driveway, PUDO, parking and loading will remain accessible for each independent phase regardless of which phase is constructed first.

The proposed development includes one type "G" and one type "C" loading space per phase for a total of two type "G" and two type "C" spaces on-site.

Vehicular access for residential, visitor, loading, and pick-up and drop-off parking spaces would be accessed from Newcastle Street. The application proposes 429 residential parking spaces, 19 visitor parking spaces, 33 barrier-free spaces and eight pick-up and drop-off parking spaces. While the application shows 429 residential parking spaces on the plans, there are no parking minimums secured in the draft Zoning By-law Amendment as the subject site is located within the Mimico Protected Major Transit Station Area. The proposal also includes a total of 593 bicycle parking spaces, consisting of 538 long-term and 55 short-term spaces, located within the underground garage, and at-grade. The proposal complies with the required minimum requirements for visitor vehicular parking and bicycle parking.

## **Unit Mix**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. The proposal includes approximately 1,579 dwelling units. The draft Zoning By-law secures a unit mix of 15% two-bedroom units and 10% three-bedroom units, meeting the Growing Up Guidelines.

## **Servicing, Engineering**

Development Engineering staff have reviewed the submitted materials associated with the proposed development including a Functional Servicing and Storm Water Management Report. The report identified that upgrades to the municipal sanitary sewer infrastructure on Newcastle Street are required to accommodate the subject site. As such, Development Engineering has requested a revised Functional Servicing and Storm Water Management Report. The draft Zoning By-law includes a Holding Provision that will require the applicant to submit these materials and to enter into an appropriate financially secured agreement with the City for municipal infrastructure improvements to the satisfaction of the Director, Engineering Review, Development Review.

## **Holding Provision**

This Report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the Planning Act, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. To lift the Holding Provision (H) in the by-law and allow for the development of the site, the applicant is required to:

- Submit a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review; and
- if the Functional Servicing and Stormwater Management Report accepted and satisfactory from above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
  - the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
  - the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review.

## **Noise and Vibration, Air Quality, Land Use Compatibility**

The applicant submitted an Air Quality, Compatibility and Mitigation Assessment to determine potential air quality, noise and vibration, and compatibility impacts from surrounding uses. The city retained a third-party consultant, to review the submitted assessment. Two revisions were made to the study in response to the comments from the peer reviewer. The Transportation Noise and Vibration Assessment identified elevated noise levels above 55 A-weighted decibels (dBA) at all of the receptors located at various locations of the outdoor amenity areas on the mezzanine level. The sound levels were predicted to be between 57 dBA and 69 dBA which exceeds the NPC-300 criteria maximum allowable level of 60 dBA. The report found that 1.1 to 2 metres tall noise barriers along the southern and eastern edges of the outdoor amenity areas would reduce the noise levels below the 60 dBA threshold. Additional or taller barriers may be used to further reduce the noise levels to 55 dBA or below. Type A and B warning clauses can be used for areas where the noise level is between 55 to 60 dBA.

Further design and analysis of the noise barriers will be reviewed at the Site Plan Approval stage. Staff are satisfied that the projected noise impact can be appropriately mitigated.

The subject site is designated as a Class 4 Noise Area this allows for higher daytime and night-time noise level limits than would otherwise be permitted in relation to a noise sensitive land use such as residential buildings. A Class 4 designation permits nearby industrial buildings and major facilities to continue operating, supporting the protection of those lands for their uses.

### **Rail Safety**

The applicant submitted a Rail Safety Report in support of the application. The report assesses the risk profile of the rail corridor to the subject site and summarizes the mitigation measures that are proposed as part of the application to ensure compatibility between the rail corridor and the proposed development. The City retained a third-party consultant to review the submitted Rail Safety Report. A separate peer review was conducted on behalf of Metrolinx. The initial Rail Safety Report concluded that a crash wall safety barrier, a 25-metre setback to all residential and sensitive uses, and low occupancy programming and non-sensitive uses within the podium adjacent to the railway lands is required to mitigate potential rail safety concerns. The proposal includes a 2.135 metre crash wall safety barrier along the entire southern lot line. Revisions were made to the ground floor layout to ensure that all residential and sensitive uses are setback 25 metres from the railway. The areas of the ground floor that fall within the 25 metre setback are programmed for low occupancy and non-sensitive uses such as the mailroom, stairwells and bike storage areas. The peer review memorandum confirmed that the proposed mitigation measures have the potential to provide the required level of derailment protection for the proposed development. The detailed design of the crash wall safety barrier will be reviewed and further refined through the Site Plan Control process.

### **Parkland**

In accordance with Section 42 of the Planning Act, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Trees, Articles II (Trees on City Streets) and III (Private Tree Protection), commonly referred to as the 'Street Tree By-law' and the 'Private Tree By-law'. The applicant submitted an Arborist Report, Landscape Plans, including a Soil Volume Plan. The Arborist Report indicates that the development will not impact any by-law-protected trees on private or city lands. The Landscape and Soil Volume Plans indicate seven trees to be planted on private property and 28 trees within the public road allowance.

Cash-in-lieu for additional replacement trees that cannot be planted on site would be required. Staff will continue to explore opportunities for additional soil volume and tree planting on the site and in the public realm.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

### **Community Services Assessment**

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, livable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, 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.

## **CONTACT**

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## **SIGNATURE**

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Alex Teixeira, MCIP, RPP , Director  
Community Planning, Etobicoke York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Mimico-Judson Secondary Plan Area Map 35-1
- Attachment 5: SASP 861 Map C1
- Attachment 6: Existing Zoning By-law Map
- Attachment 7: Draft Official Plan Amendment
- Attachment 8: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

Attachment 9: Site Plan  
Attachment 10: Ground Floor Plan  
Attachment 11: 3D Massing Model  
Attachment 12: Elevations

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 39 Newcastle Street Date Received: August 18, 2025

Application Number: 25 212266 WET 03 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: The proposed development includes three buildings ranging from 39 to 42 storeys. These buildings will deliver approximately 1,579 new residential units with 105,349 square metres of residential gross floor area (GFA). The plan also incorporates 783 square metres of ground-level retail space, 425 vehicular parking spaces, and 592 bicycle parking spaces.

Applicant	Agent	Architect	Owner
Laurie Payne			2495065 ONTARIO INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: 861

Zoning: E 1.0 Heritage Designation:

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 7,895 Frontage (m): 120.65 Depth (m):

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			6,630	6,630
Residential GFA (sq m):			105,349	105,349
Non-Residential GFA (sq m):			783	783
Total GFA (sq m):			106,132	106,132
Height - Storeys:			43	43
Height - Metres:			143	143

Lot Coverage Ratio (%): 84 Floor Space Index: 13.44

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 105,349  
 Retail GFA: 783  
 Office GFA:  
 Industrial GFA:  
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			1,579	1,579
Freehold:				
Condominium:				
Other:				
<b>Total Units:</b>			<b>1,579</b>	<b>1,579</b>

**Total Residential Units by Size**

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		85	1,000	330	164
<b>Total Units:</b>		<b>85</b>	<b>1,000</b>	<b>330</b>	<b>164</b>

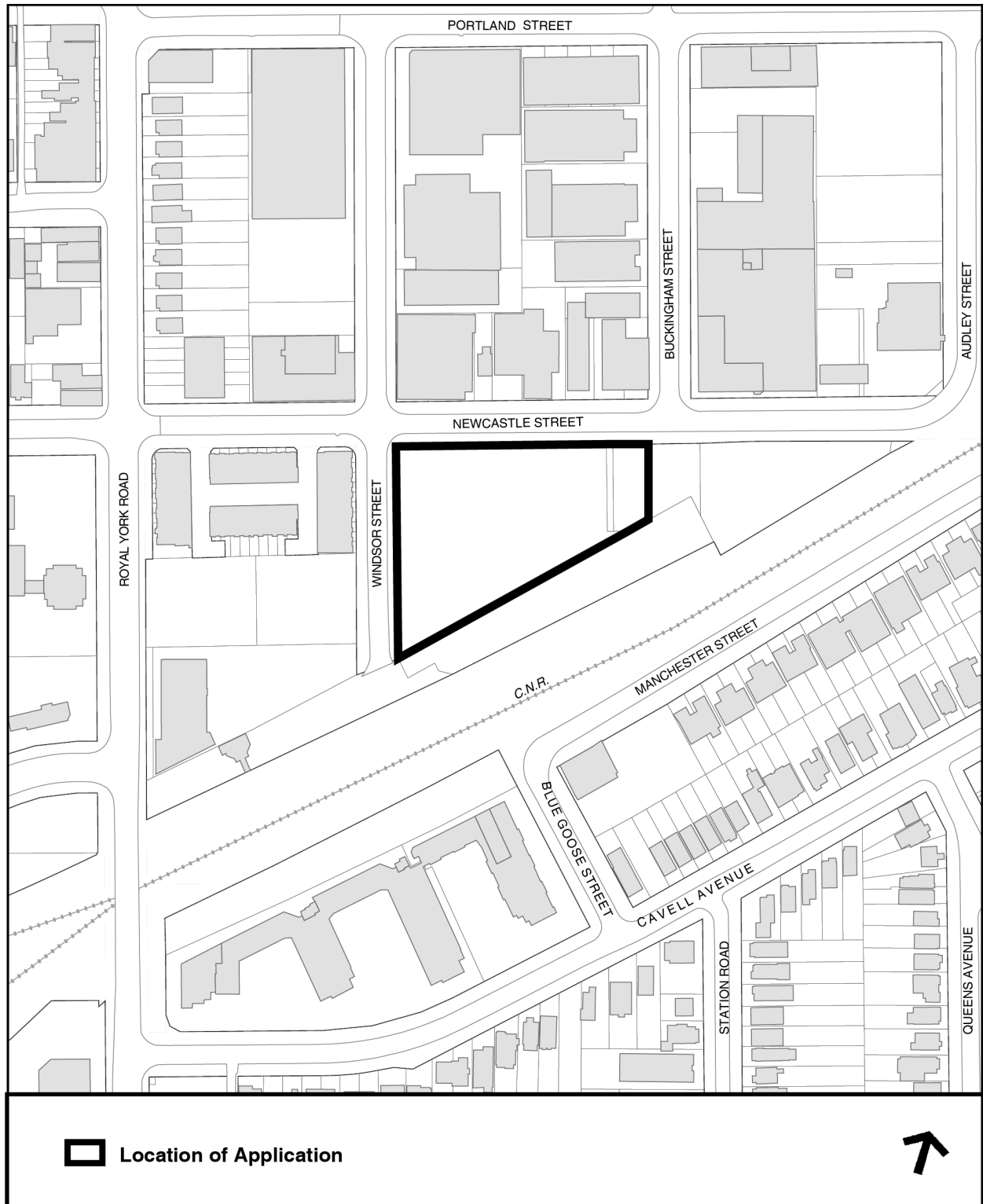
**Parking and Loading**

Parking Spaces: 429      Bicycle Parking Spaces: 593      Loading Docks: 4

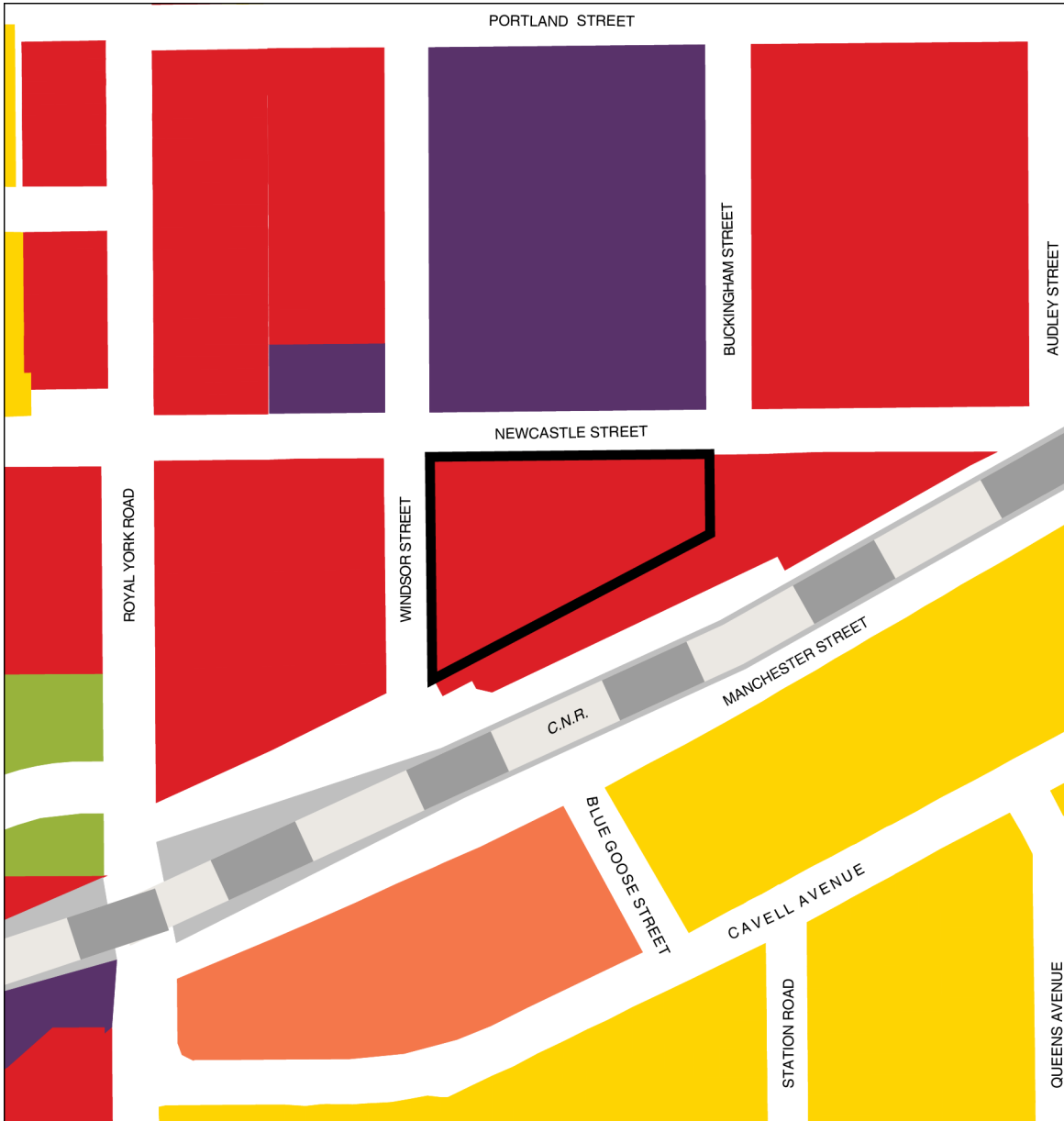
Andrej Obradovic, Planner  
 416-395-7150

[Andrej.Obradovic@toronto.ca](mailto:Andrej.Obradovic@toronto.ca)

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map 15

39 Newcastle Street

File # 25 212266 WET 03 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks
-  Utility Corridors
-  Core Employment Areas

  
 Not to Scale  
 Extracted: 08/25/2025

Attachment 4: Mimico-Judson Secondary Plan Area Map 35-1



39 Newcastle Street

File # 25.212266 WET 03 0Z

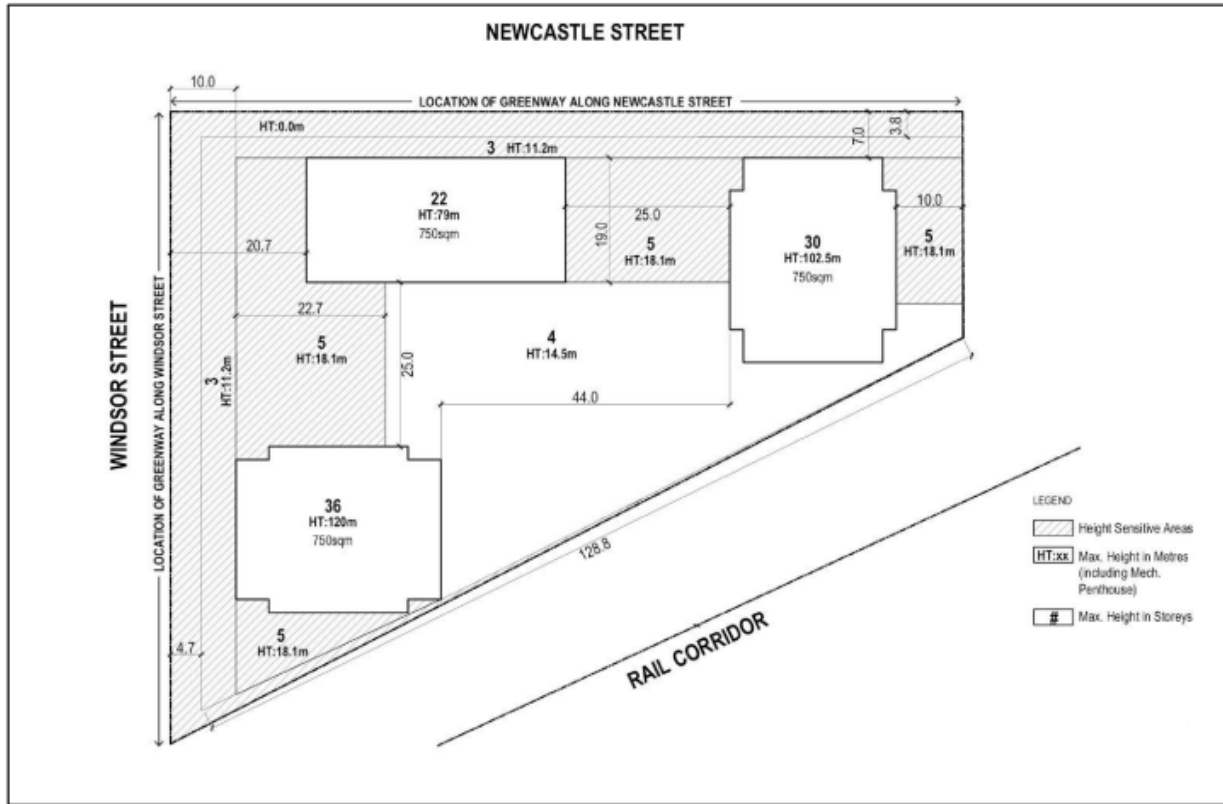


Mimico - Judson Secondary Plan  
MAP 35-1 Secondary Plan Area

-  Secondary Plan Boundary
-  Legion Road Extension
-  Location of Application

↑  
Not to Scale  
04/17/2026

**Map C1**

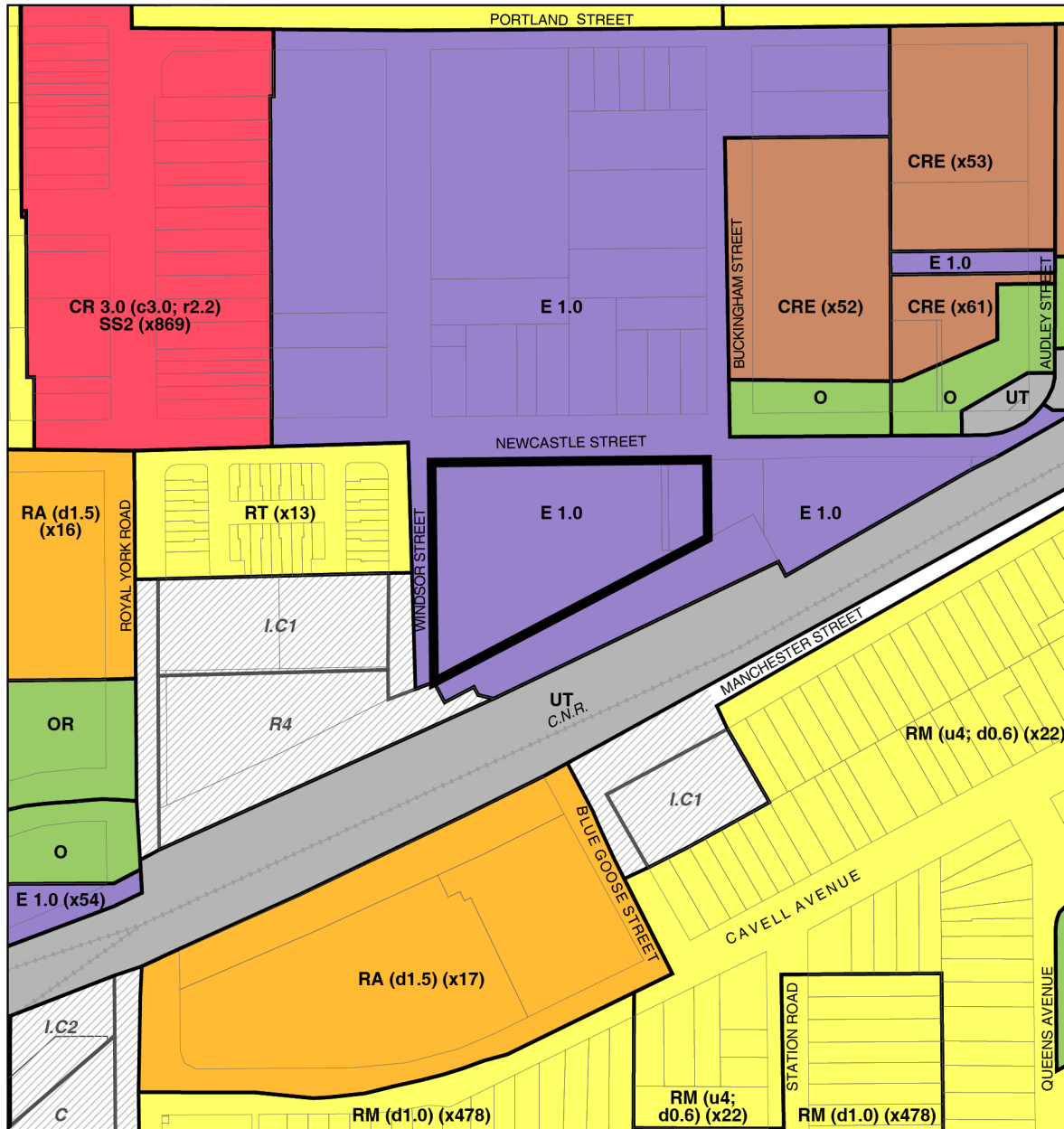


Mimico-Judson: Map C1



Not to Scale  
07/12/2021

Attachment 6: Existing Zoning By-law Map



Zoning By-law 569-2013

39 Newcastle Street

File # 25 212266 WET 03 0Z

Location of Application	CRE Commercial Residential Employment	See Former City of Etobicoke By-Law No. 11,737
RT Residential Townhouse	E Employment Industrial	R4 Fourth Density Residential Zone
RM Residential Multiple	O Open Space	I.C.1 Class 1 Industrial Zone
RA Residential Apartment	OR Open Space Recreation	I.C.2 Class 2 Industrial Zone
CR Commercial Residential	UT Utility and Transportation	C Commercial

↑  
Not to Scale  
Extracted: 08/25/2025

Attachment 7: Draft Official Plan Amendment

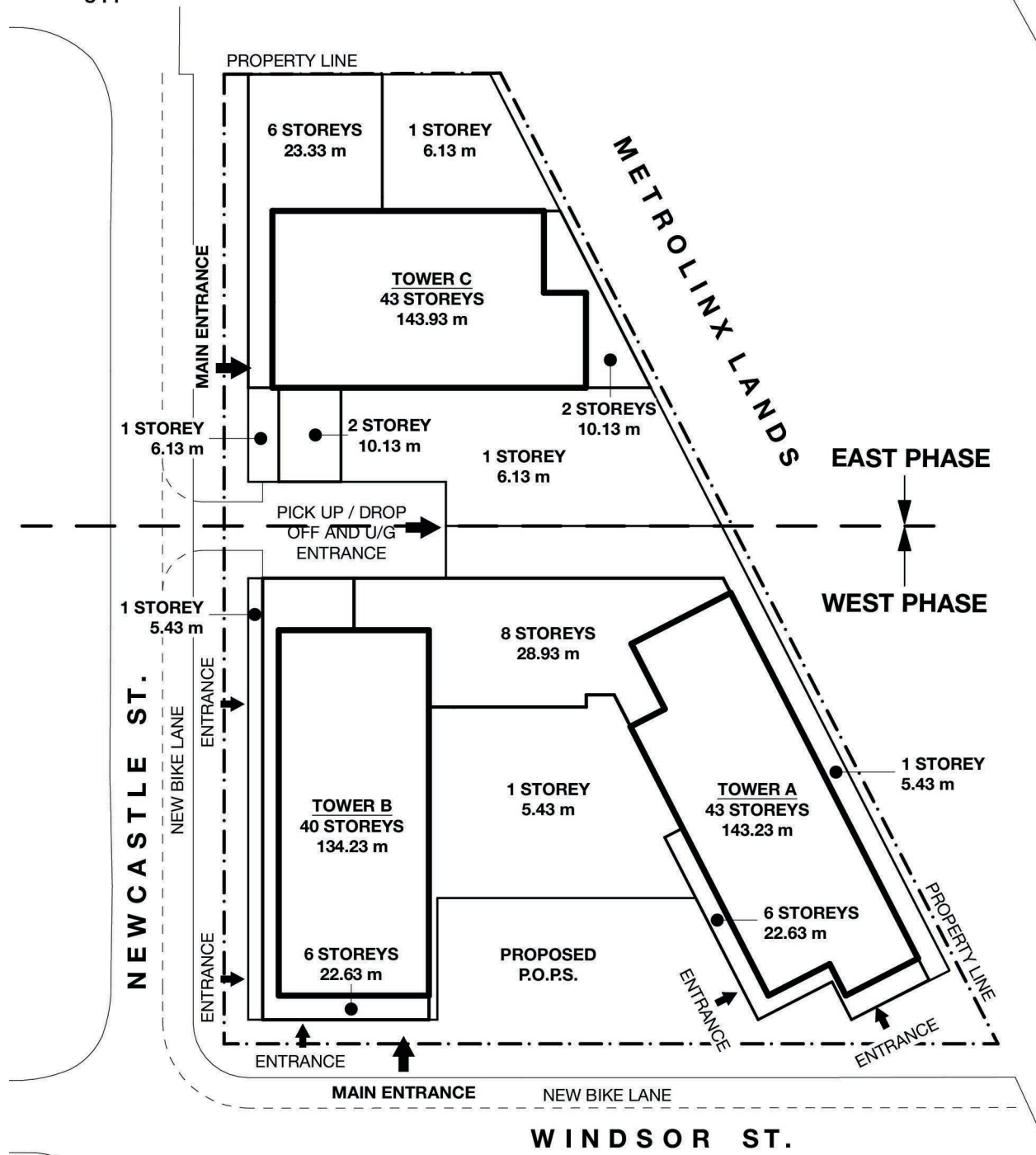
The draft Zoning By-law Amendment will be made available in a separate document.

## Attachment 8: Draft Zoning By-law Amendment

The draft Zoning By-law Amendment will be made available in a separate document.

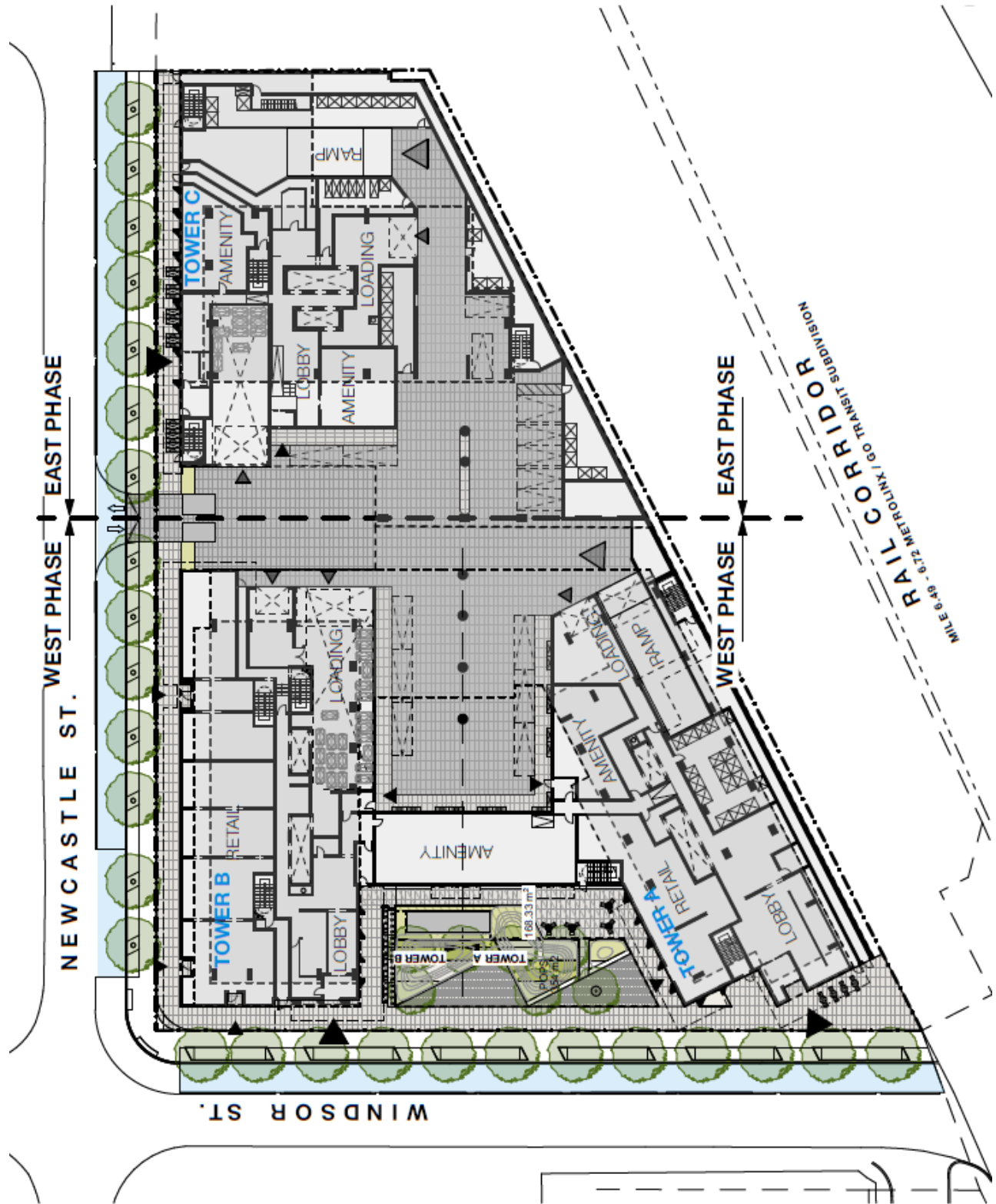
Attachment 9: Site Plan

BUCKINGHAM ST.

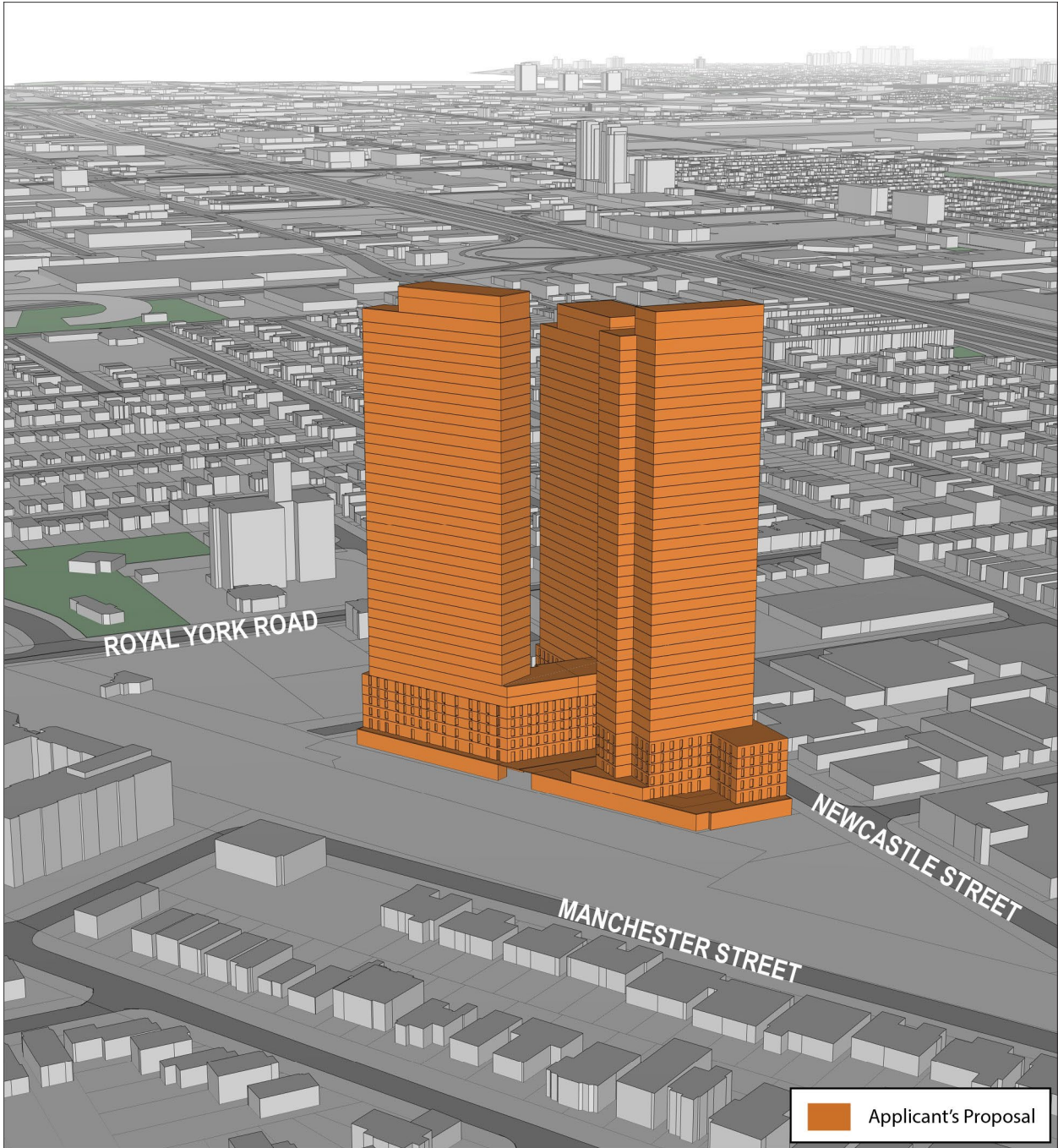


Site Plan ←

Attachment 10: Ground Floor Plan



Attachment 11: 3D Massing Model

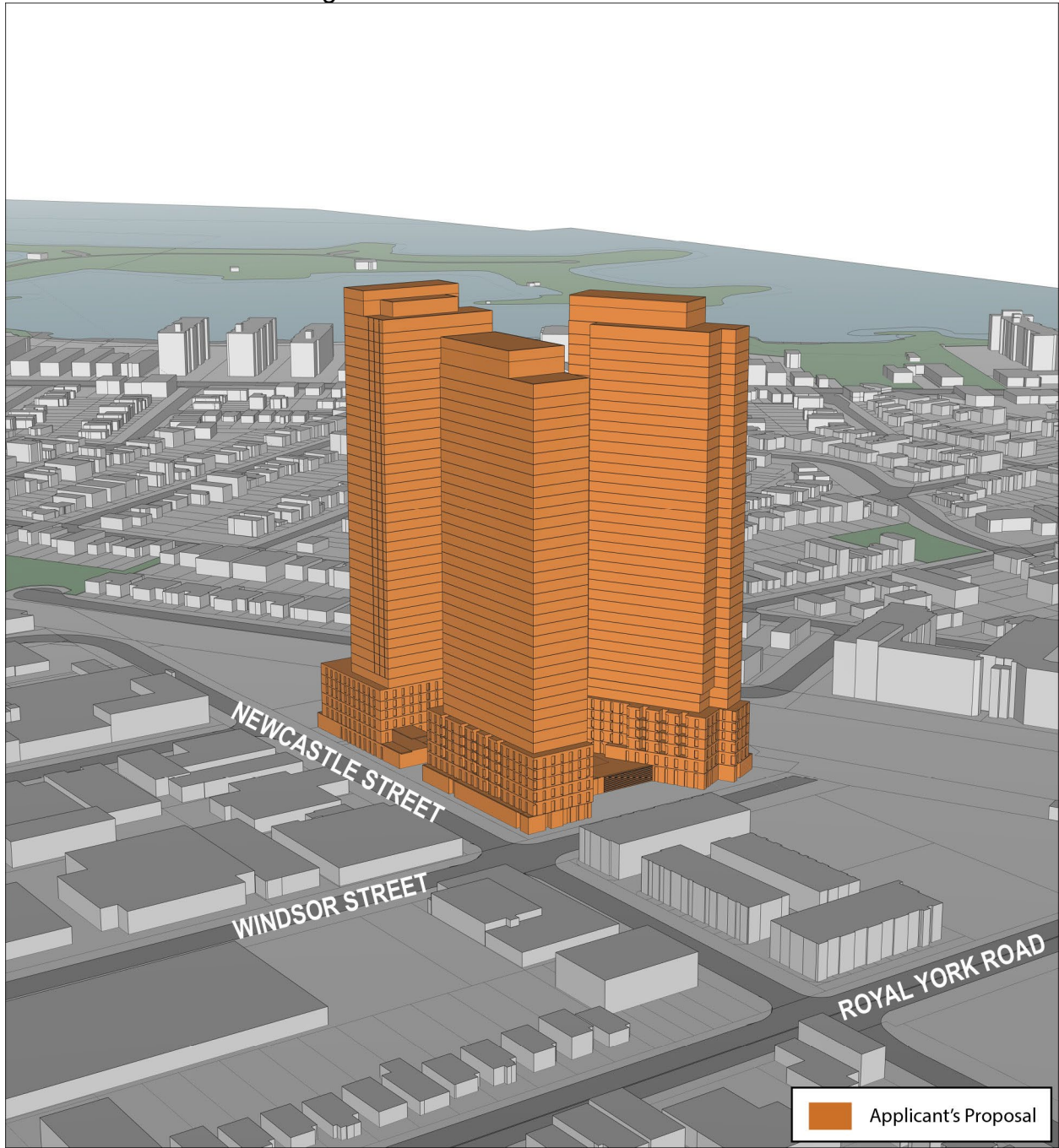


View of Applicant's Proposal Looking Northwest



04/20/2026

Attachment 11: 3D Massing Model

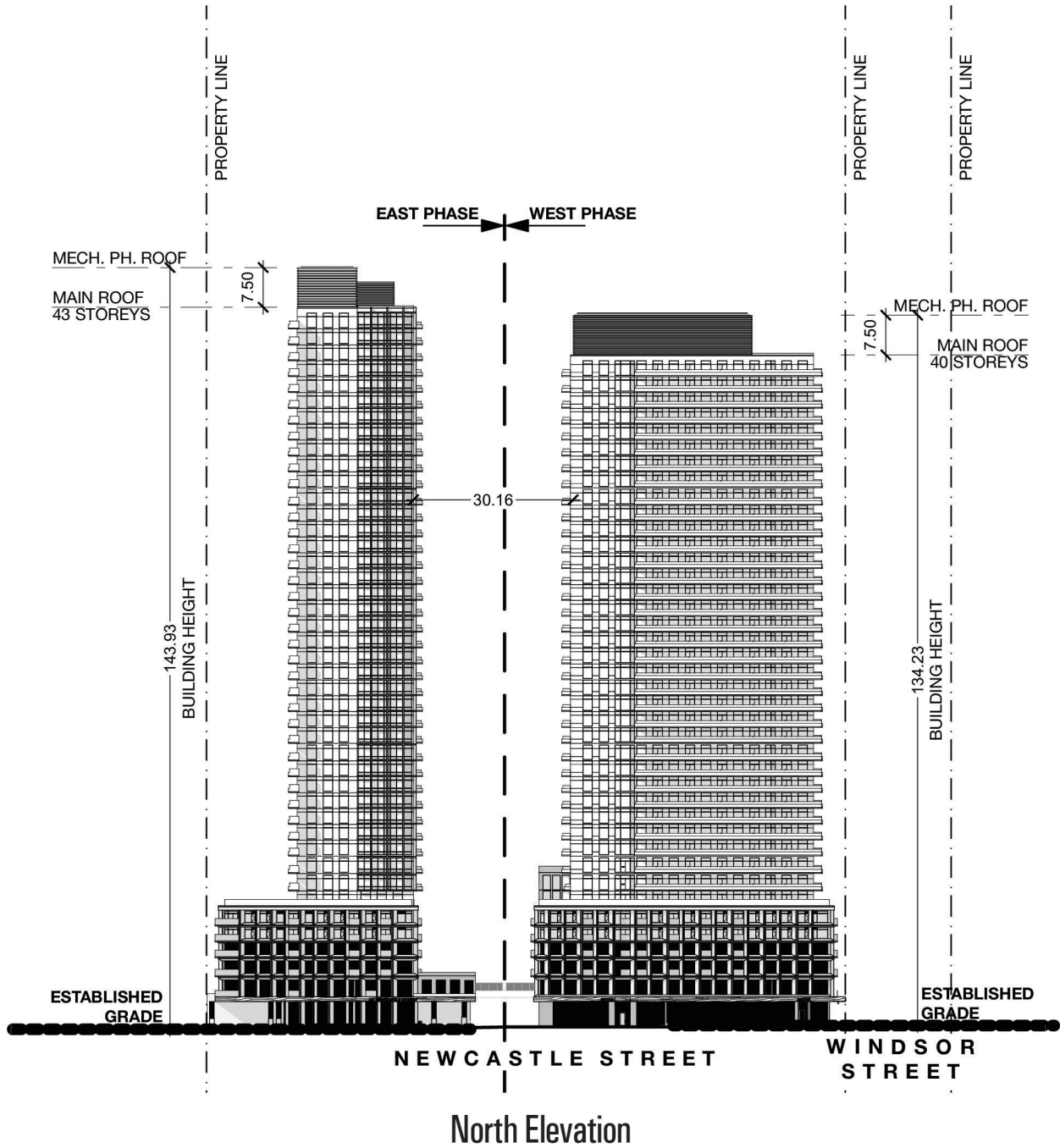


View of Applicant's Proposal Looking Southeast

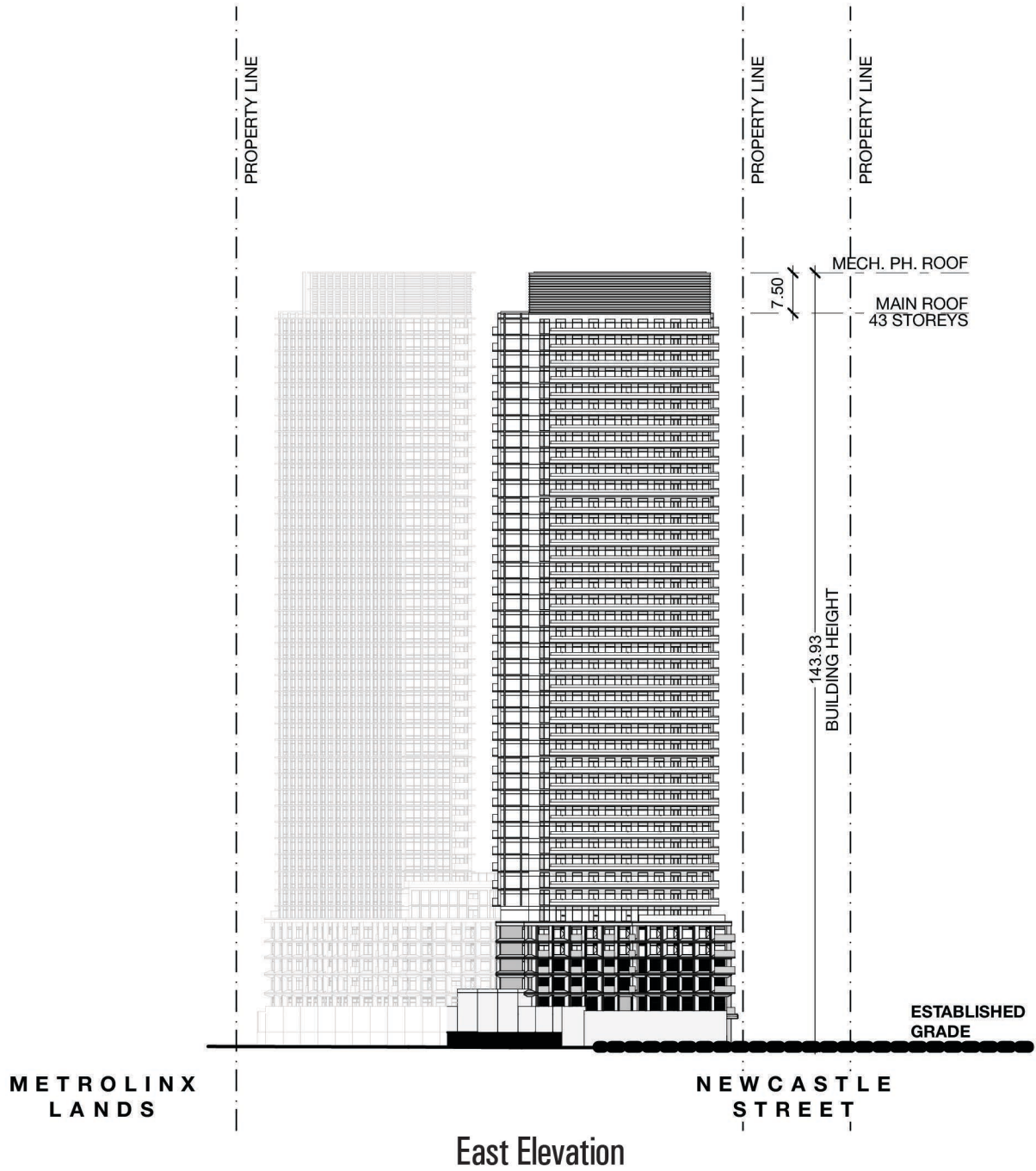


04/20/2026

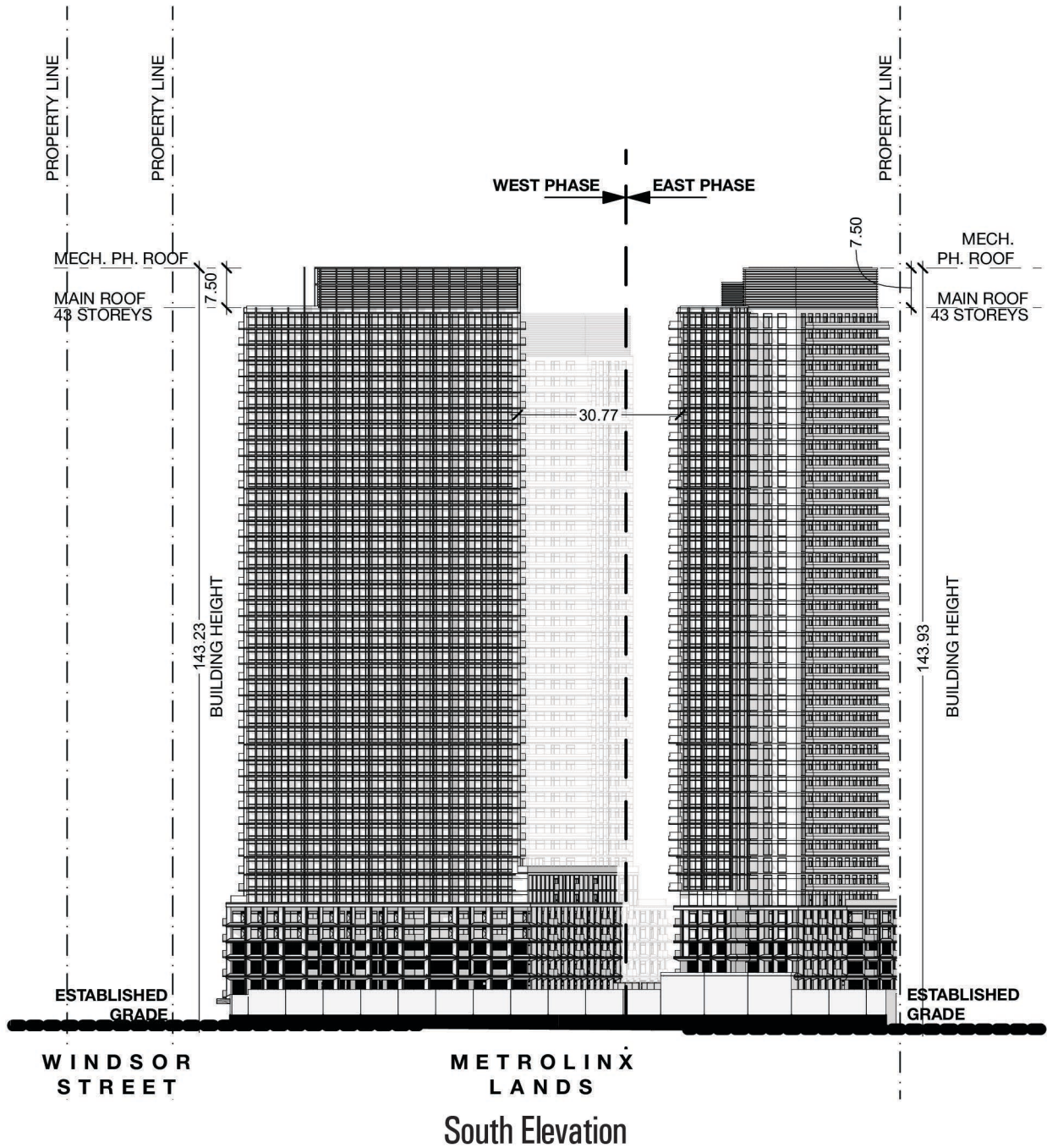
Attachment 12: Elevations



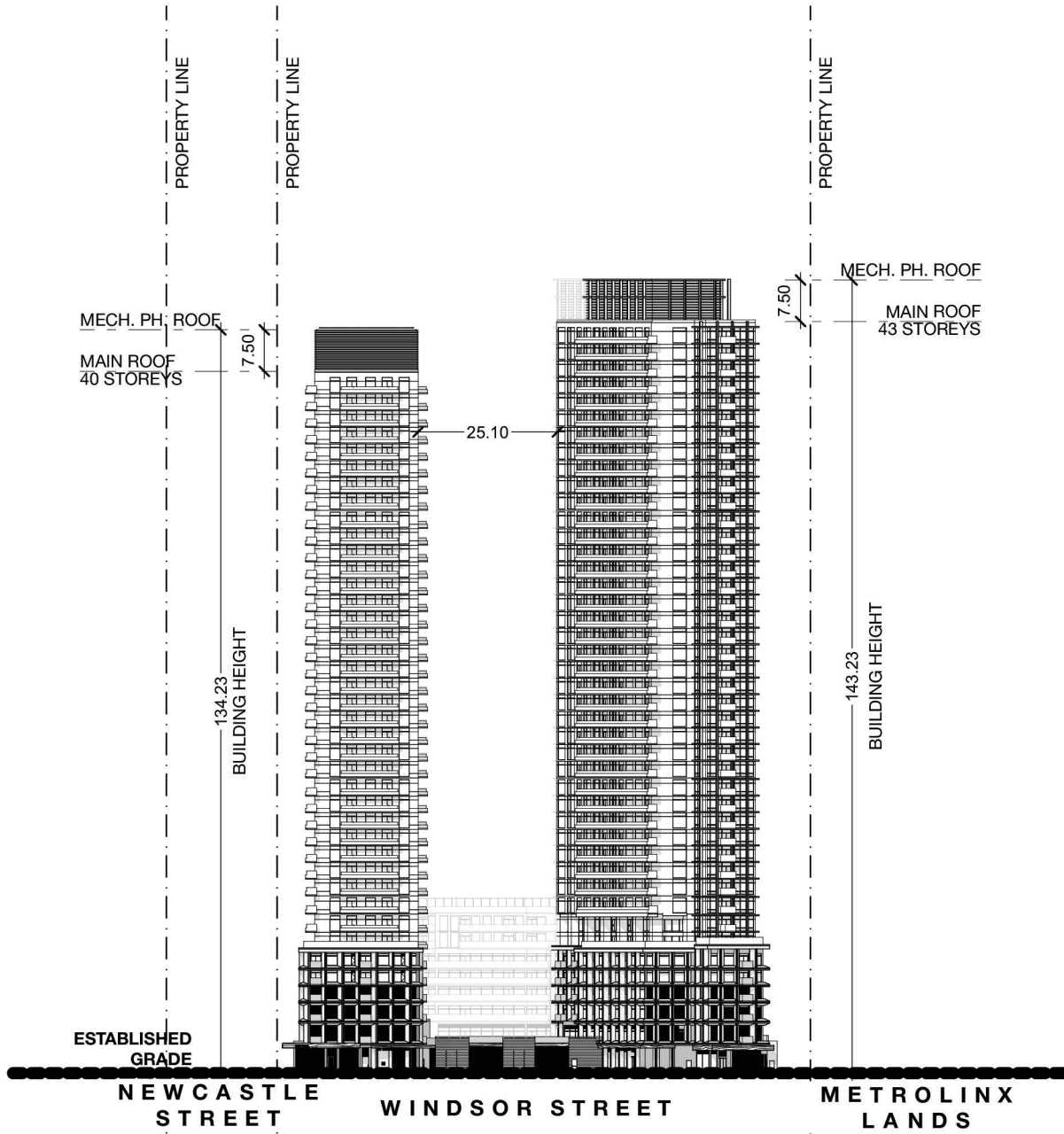
Attachment 12: Elevations



Attachment 12: Elevations



Attachment 12: Elevations



West Elevation