

**Final Report - Application to Amend the Official
Plan and Zoning By-law 438-86, 1430 Yonge Street
St. Clair Inc. 302010, TD CMB 2001 0008
(St. Paul's - Ward 22)**

The Midtown Community Council recommends that:

- (1) the application to amend the Official Plan and Zoning By-law No. 438-86 for 1430 Yonge Street be refused;**
- (2) the City Solicitor be instructed to attend the Ontario Municipal Board hearing to oppose any upcoming appeal;**
- (3) the City Solicitor be authorized and directed to retain such outside consultants as she deems necessary;**
- (4) the Commissioner of Works and Emergency Services be authorized and directed to retain outside consultants to conduct an independent traffic impact study, such study to include a pedestrian count, and the results thereof to be reported to the City Solicitor and to the Midtown Community Council;**
- (5) the Ontario Municipal Board be advised that City Council would consider favourably a residential application revised to include, but not be limited to, the following:**
 - (a) 3 metre front yard set –backs;**
 - (b) a maximum of 4 storeys at the Yonge Street frontage;**
 - (c) an additional 2 storeys stepped back from Yonge Street and then rising to a maximum of 33 metres keeping to no more than a 45 degree plane from the top of the fourth storey;**
 - (d) gross floor area 4.5;**
 - (e) full access and egress to Yonge Street;**
 - (f) subject to site plan approval;**
 - (g) compliance with the City’s parking by-law requirements for multiple residential condominiums;**
 - (h) an agreement with the cemetery as outlined in communication (January 20, 2003) from the Principal, Augusta National Inc.;**

- (i) **the Section 37 Agreement and all other applicable legislative and required approvals; and**
- (j) **all other applicable legislative and required approvals as outlined in the December 18, 2002 staff report.**

The Midtown Community Council submits the following report (December 18, 2002) from the Director, Community Planning, South District:

Purpose:

This report reviews an application to amend the Official Plan and the Zoning By-law for a 16 storey apartment building with retail uses at grade at 1430 Yonge Street and recommends that the City Solicitor and staff be instructed to support the amendments at the upcoming hearing before the Ontario Municipal Board.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations :

It is recommended that City Council:

- (1) support the revised application to amend the Official Plan and Zoning By-law for 1430 Yonge Street, as shown substantially on the plans submitted by Page and Steele Architects-Planners date stamped November 29, 2002;
- (2) authorize the City Solicitor and other City staff, as required, to attend at the upcoming Ontario Municipal Board hearing and support the application;
- (3) authorize the execution of a Section 37 Agreement and any other agreements required to implement the proposed development and provide the benefits in accordance with the conditions contained in this report;
- (4) authorize staff to take any actions required to implement approval of this development;
and
- (5) authorize the City Solicitor to request the Ontario Municipal Board to withhold any Order until a revised Section 37 Agreement and, if necessary, a Site Plan Agreement/ Undertaking for the applicant's site have been entered into and the form of the Official Plan and Zoning By-law amendments has been determined as satisfactory to the City Solicitor.

Background:

Proposal

The applicant proposes to demolish the existing two-storey commercial building on the site and build a 16 storey mixed-use building with commercial uses at street level fronting on Yonge Street and residential apartments above. The first floor also includes the apartment lobby and vehicular access to Yonge Street.

The 10,811 square metre condominium proposal will ultimately contain 382.9 square metres of commercial space (two retail stores), 2 bachelor, 95 one bedroom and 48 two bedroom units (total 145 units) plus 112 parking spaces for cars and 109 for bicycles. The density proposed is 7.6 times the area of the lot (Attachment 7).

The first floor will be built to the property line except at the rear (west) boundary where the building is set back 2.44 metres. An additional four storey podium is proposed, set back 4 metres from the north and south property lines. Above this are an additional eleven storeys, progressively stepped back from Yonge Street at the 6th, 8th, 11th and 14th floors, and on the rear

façade at the 14th and 16th floors. Rooftop terraces are provided at these step backs (Attachment 1).

Vehicular access is from Yonge Street at the north end of the property. The driveway extends through the building to the rear providing access to the garbage loading area and four levels of underground parking.

Site and Surrounding Area

The 1,430 square metre lot is rectangular with a 24.2 metre frontage on Yonge Street and a depth of 59 metres. The building will terminate the view for those approaching Yonge Street along Pleasant Boulevard. There is an entrance to the Yonge Street subway less than 100 metres east of the site on Pleasant Boulevard.

A two storey internal mall-style commercial building currently occupies the site. A number of retail shops and personal service businesses are located in the mall.

North: To the north of the front part of the property are shallow lots with three storey buildings fronting on Yonge Street. These buildings typically have retail uses at grade with residential units above. Further north are the high density, high rise commercial towers of the Yonge-St. Clair intersection.

South: To the south of the front part of the site are more shallow lots with two storey buildings fronting on Yonge Street, again with retail uses at grade and residential units above. Further south, more recent eight and nine storey mixed commercial-residential developments have been built.

South of the rear 30 metres of the property is St. Michael's Cemetery, an historic burial ground. Public access to this cemetery is through a lane off Yonge Street approximately 27 metres south of the site. Abutting the south side of the cemetery are low density, low rise detached and semi-detached houses and small apartment buildings on Balmoral Avenue.

East: East of the site, across Yonge Street, are small scale commercial buildings. Beyond them is a High Density Residence Area with a number of high-rise apartment buildings along Pleasant Boulevard, Rosehill Avenue and Jackes Avenue.

West: West and to the north of the rear 42 metres of the site the property is bordered by the Toronto Badminton and Racquet Club (TBRC), a private recreational facility with a number of low-rise buildings, open space, tennis courts and surface parking. The TBRC property has limited frontage on and access to St. Clair Avenue West. Behind the TBRC and extending to Avenue Road are high rise residential and office towers fronting on St. Clair Avenue West.

Official Plan

The site is subject to the Yonge-St. Clair Part II Plan and is designated Medium Density Mixed Commercial-Residential Area, which permits a density of 4.25 times the area of the lot (Attachment 6). The Part II Plan further states that it is Council's policy "to recognize that...there may be a potential to develop or redevelop properties in excess of existing permitted height and/or density limits in the Zoning By-law" along this section of Yonge Street (Section 5.7 of the Part II Plan). In considering such proposed increases in height the Part II Plan imposes a height limit of 30 metres for Zoning By-law amendments pertaining to the properties fronting on the west side of Yonge Street between St. Clair Avenue West and Balmoral Avenue, which includes 1430 Yonge Street.

The Part II Plan includes design guidelines which, among other things, require developments in this area to observe a sunlight standard of at least 5 hours around midday on one sidewalk of Yonge Street from March 21 to September 21.

The site is situated on a Main Street under the Part I Official Plan of the former City of Toronto.

The new Toronto Official Plan, adopted by City Council at its meeting of November 26, 27 and 28, 2002, designates the site Mixed Use. The area is also subject to the provisions of the Yonge-St. Clair Secondary Plan, which is part of the new Official Plan. The Secondary Plan designates the property Mixed Use Area B and provides a number of design guidelines for new development. The Secondary Plan continues the policies contained in the Part II Plan referred to above regarding consideration of potential redevelopment in excess of the limits set by the existing Zoning By-law and the 30 metre height limit for this block of Yonge Street.

The new Toronto Official Plan designates this section of Yonge Street as an Avenue.

Zoning By-law 438-86

The property is zoned CR T4.25 C2.0 R3.0 with a height limit of 30 metres (Attachments 5 and 6). Under this zoning commercial density cannot exceed 2.0 times the area of the lot and residential density is limited to 3.0 times the area of the lot. In addition, the total gross floor area of a building may not exceed 4.25 times the area of the lot.

A wide range of commercial and residential uses are permitted in the CR (mixed-use commercial-residential) zone.

The Zoning By-law also imposes a height limit of 16 metres at the front lot line for any building on this site and requires portions of the building higher than 16 metres to respect a 44 degree angular plane (Attachment 3). These controls are meant to result in a building with upper storeys that are stepped back from Yonge Street to provide sunlight to the street and a less imposing building mass, in accordance with the provisions of the Yonge-St. Clair Part II Plan.

Site Plan Control

The project is subject to Site Plan Control. An application for Site Plan Approval has been submitted and is being reviewed.

Reasons for Application

The proposal exceeds the density limits in the existing Yonge-St. Clair Part II Plan by 3.35 times the area of the lot and height limit by 16 metres. It also exceeds the height limit in the Yonge-St. Clair Secondary Plan, part of the new Official Plan, by 16 metres.

The proposal also exceeds the total density limits in Zoning By-law 438-86 by 3.35 times the area of the lot and the residential component by 4.3 times the area of the lot.

The overall height of the proposed building exceeds the 30 metre height limit of Zoning By-law 438-86 by 16 metres. The By-law also requires the maximum height of the front wall of the building to be 16 metres. The proposed building exceeds this limit by 1 metre. The By-law calls for an angular plane of 44 degrees from this 16 metre front wall height. The proposed building penetrates this plane marginally.

Zoning By-law 438-86 requires 145 parking spaces, whereas the applicant proposes 112.

The building is also not in compliance with a number of the setback requirements of the Zoning By-law. The windows in the north and south sides of the proposed building are set back 4.0 metres from the property lines, 5.5 metres are required. No setback is provided from the front lot line whereas the By-law requires the first 4.5 metres above the sidewalk to be set back a minimum of 3 metres and the first storey above that to be set back a minimum of 0.15 metres.

Finally, not all of the indoor amenity space is provided in contiguous rooms as required by the Zoning By-law.

Community Consultation

At the direction of City Council a community consultation meeting was held March 14, 2002. Councillor Michael Walker also held a meeting in the community on December 12, 2002 at which representatives of the Community Planning Division and the Traffic Planning Section of Works and Emergency Services were in attendance. Both meetings were well attended, with approximately 75 people at each meeting. In addition, 22 letters were received, including those from the Yonge/St. Clair Business Association, Bretton Place (33 Rosehill Avenue and 44 Jackes Avenue) Tenants' Association, Foxbar Neighbourhood Association, the Catholic Cemeteries Archdiocese of Toronto (St. Michael's Cemetery) and Councillor Michael Walker. A number of telephone calls were also received from the public.

All of the written communications that expressed opinions, except one, were opposed to the proposed development. Similarly, all of the speakers at the meetings who expressed an opinion, again except one, had significant concerns and were opposed to the proposal.

The issue of greatest concern was the disruption, safety hazard and nuisances that are anticipated by the public as the result of vehicular access from the proposed development to Yonge Street. It was pointed out that Yonge Street south from St. Clair Avenue is heavily travelled by both vehicles and pedestrians and the development is in close proximity to a fire station and an

intersection where TTC buses turn. Delivery vehicles park illegally along Yonge Street to service the retail businesses surrounding the subject site, thereby confining traffic to one lane in each direction. It was thought that any requirement that vehicles leaving the proposed building turn right (south on Yonge Street) would increase traffic on Balmoral Avenue as drivers circle the block to travel north or west.

To further assess the potential negative impacts of this access, a demand was made that an outside “independent” consultant, in addition to review by Works and Emergency Services staff, should review the applicant’s traffic impact statement.

The height and density of the proposed building also concerned residents. They considered the increases requested by the applicant above the maximum permitted by the Zoning By-law to be excessive. They suggested that the building would not be in keeping with the existing pattern of development, would provide a precedent for other redevelopment sites, would contribute to excessive traffic and would create a negative impact on the streetscape and the adjoining cemetery. The blocking of views and increased wind were impacts that concerned some residents.

Also mentioned were the impacts that construction would have on the business community, considering that most work would have to be done from Yonge Street. It was noted that road construction last year had a negative effect on business volumes. Residents and business owners felt the reduction in the amount of retail space available from that existing now (approximately 1,600 square metres) would be deleterious to the neighbourhood.

The size of the proposed dwelling units (an average of 60 square metres), the adequacy of parking and possible insufficient services to supply the building were also of concern.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Traffic Impact, Access, Parking

The existing building at 1430 Yonge has no vehicular access to Yonge Street. A right-of-way exists over narrow twisting lanes leading to St. Clair Avenue West but it is not a practical means of access for any new development on this property. The only road frontage available to the site is Yonge Street.

The proposed development would be accessed by means of a driveway leading from Yonge Street to the building’s underground garage. The potential impacts of providing this new, mid-block access to the property are a matter of serious concern to interested residents and business owners in the area, as mentioned above, as well as to the City. Concerns include

pedestrian and vehicle safety, pedestrian and traffic disruption, effects on the viability of the existing retail strip from St. Clair Avenue to Balmoral Avenue and delays to transit and emergency vehicles due to traffic congestion.

The City must provide such road access as is required for the reasonable use of the property, as long as such access does not present a safety or substantial nuisance concern.

The applicant submitted a traffic impact study on March 14, 2002. The information supplied was insufficient and on July 28, 2002 the Manager of Traffic Planning, Works and Emergency Services wrote to the applicant's traffic consultant requesting additional information regarding traffic growth assumptions, trip generation, trip distribution, pedestrian volumes, access operations, access sight lines and parking supply. The applicant's consultant provided the supplementary material requested, allowing the reviewers to adequately assess the application. Included in the Works and Emergency Services review was an assessment of the effect the proposed development would have on traffic volumes on Balmoral Avenue, in the event a "right-in, right-out" turning restriction was imposed.

The Commissioner of Works and Emergency Services has advised that, subject to a "right-in, right-out" turning restriction, transportation safety and nuisance concerns will not reach unacceptable levels, even at the increased density requested (Attachment 8). As well, traffic on Balmoral Avenue is predicted to remain in the acceptable range. Neither the Fire Department nor the Toronto Transit Commission raised any concerns that such an access might negatively impact their operations.

Some residents have called for an "independent" review of the applicant's traffic impact study. I am satisfied that the Commissioner of Works and Emergency Services has already provided an internal, expert review of the traffic impact statements provided by the applicant. Additional review by outside consultants is not standard practice and would not make a meaningful contribution to the evaluation of this application.

Although the situation is not unacceptable, it is not ideal. A better alternative involves providing access through the Toronto Badminton and Racquet Club (TBRC) property to the west and north of the site. A right-of-way through this property would give access to St. Clair Avenue West. At the moment, the configuration of buildings on the TBRC site does not permit access to 1430 Yonge Street, however officials of the Badminton and Racquet Club have met with staff on a preliminary basis regarding redevelopment of their property. Any such proposal will be reviewed with a view to its ability to provide access to 1430 Yonge Street.

As access through the TBRC would eliminate the negative aspects of the Yonge Street access, the owners of 1430 Yonge Street will be required to take access from the Badminton and Racquet Club if it becomes available and to convert the Yonge Street access to retail space at that time. The owner has agreed and the building has been designed to accommodate this possible outcome. I am recommending that support be given to this proposal with one of the conditions being that this commitment has been secured through a registered agreement under Section 37 of the Planning Act that will be binding on any future owners of the property. I am

therefore recommending that the City Solicitor request the OMB to withhold its order in this matter until the Section 37 agreement is executed and registered on title, amongst other matters.

The Commissioner of Works and Emergency Services has also advised that 112 parking spaces for residents will satisfy the expected demand for parking in this development. The Zoning By-law does not require any parking for visitors or commercial occupants and none is provided. The Toronto Parking Authority operates a large parking garage immediately east of the site on Pleasant Boulevard.

The first floor setback on the Yonge Street frontage required by the Zoning By-law was intended to provide space for a future northbound left-hand turn lane at St. Clair Avenue. Given the distance of the site from the Yonge-St. Clair intersection the Commissioner of Works and Emergency Services advises that this setback is not required.

Density, Height, Massing

The Zoning By-law imposes a height limit of 30 metres on all the properties on the west and east sides of Yonge Street from the southern boundary of the corner properties at St. Clair Avenue to Rosehill Avenue. The boundaries of this height zone follow the rear property lines of these lots and on the west side of Yonge Street most of the lots are approximately 18 metres deep. The in-force Yonge-St. Clair Part II Plan and the Yonge-St. Clair Secondary Plan of the new Official Plan also impose a height limit of 30 metres on the properties on the west and east sides of Yonge Street from St. Clair Avenue to Balmoral Avenue and Pleasant Boulevard. To the west of the 30 metre zone the height limit is 46 metres (Attachment 5).

The 1430 Yonge Street property is an anomaly along this strip. At 59 metres deep, it is more than three times as deep as its neighbouring lots fronting on Yonge Street to the north and south.

The Part II Official Plan and the new Secondary Plan indicate that there may be potential on this part of Yonge Street for development in excess of existing permitted height and density limits in the Zoning By-law. Given the 46 metre height permission on properties abutting the rear of the site and the substantial depth of this property, compared to its neighbours fronting on Yonge Street, it is appropriate to consider such a height on the rear portion of this property.

In addition, the Zoning By-law limits the height of the building at the street line to 16 metres and imposes an angular plane of 44 degrees starting at that height. These standards ensure compliance with the provisions of the Official Plan, requiring 5 hours of sunlight on Yonge Street around midday at the equinoxes (March and September 21).

The configuration of this proposed building, as originally submitted, was a five storey podium with an 11 storey tower (total 16 storeys). This design was not in compliance with the height limit or the angular plane provisions of the Zoning By-law and did not allow the mandated period of sunlight on Yonge Street. The building was therefore redesigned with a series of step backs to move the highest, 46 metre section to the rear of the property. This redesign has achieved the sunlight objective, with minor infringements of the angular plane and the 16 metre limit.

The density of the proposal is also considerably in excess of that permitted in the Zoning By-law and Part II Official Plan. Other nearby developments in the same density zone and designation and the 46 metre height zone area have exceeded the permitted densities. For example, the apartment buildings at 61-63 St. Clair Avenue West have a density of 6.7 and a height of 18 storeys. The commercial building at 55 St. Clair Avenue West has a density of 6.2 and a height of 10 storeys.

Given the stepped back design of the building and its consequent limited visibility from Yonge Street, compliance with the sunlight provisions of the Part II and Secondary Plan and acceptance of 46 metres as an appropriate height limit for the rear of the site, the massing of the building is compatible with existing and expected future development in the area.

The impact of the proposed development on those using St. Michael's Cemetery has been considered. A wind study submitted by the applicant has shown no significant adverse wind effects will be created by this building.

The applicant has proposed a reduced setback from both side lot lines. The Building Code has been satisfied in each case but the proposals are not in compliance with the Zoning By-law requirement of 5.5 metres.

The 1.5 metre reduction in the south setback is not of concern as the property abuts St. Michael's Cemetery at this point. The possibility of redevelopment of the cemetery is remote.

On the north side of the site the issue is of greater concern due to the potential for redevelopment of the Toronto Badminton and Racquet Club. Due to the constraints of the 1430 Yonge Street site and the relative flexibility that the TBRC will enjoy in the design of its redevelopment due to the large size of the property, I am recommending that the proposed 1.5 metre reduction in setback from the north lot line be granted.

The proposed building will terminate the view for those walking, biking or driving west on Pleasant Boulevard. It presents an appropriate massing and appearance to this street (Attachment 2). Similarly, the building will be seen by residents on the north side of Balmoral Avenue and those using the cemetery. The owner has agreed to commit, using the Section 37 agreement, to finishes for the mechanical penthouse and the façades of the building as will be specified in the Site Plan agreement, to the satisfaction of the Commissioner of Urban Development Services. This will ensure a good level of quality in the appearance of the proposed building.

Streetscape

The vibrant retail shopping strip along Yonge Street will experience the loss of some retail space with the demolition of the existing building, but the proposed building does provide for retail uses at grade and restores a continuous building face on Yonge Street.

Amenity Space

Sufficient indoor and outdoor amenity space (290 square metres of each) has been provided to meet the requirements of the Zoning By-law. Due to the nature of the development, no ground level outdoor amenity space is available. Therefore, all outdoor amenity spaces are located on upper level terraces and are landscaped and screened from adjacent dwelling units and/or private terraces.

On the 2nd floor 181 square metres of indoor amenity space consisting of a party/all-purpose room is located adjacent to 70 square metres of outdoor amenity space on an outdoor terrace. An additional 109 square metres of indoor space and 200 square metres of adjacent outdoor amenity space overlooking Yonge Street are provided at the 6th floor. The remaining 20 square meters of outdoor amenity space are located on an east facing terrace on the 14th floor.

As the 2nd floor portion of the indoor amenity space is not adjacent to the 6th floor indoor amenity space, an exemption to the Zoning By-law is required. The configuration of the amenity space is acceptable, and it is appropriate to grant this exemption.

Section 37

The applicant has agreed to provide public benefits under Section 37 of the Planning Act as part of this proposal.

At the time of issuance of building permit the applicant will provide \$230,000 (escalated in accordance with the Consumer Price Index (CPI) from the date of this report to the date of payment) to the City, above the standard 5% parks contribution, for use in improving neighbourhood parks.

Specifically, \$25,000 will be dedicated to the restoration of the heritage fountain in Amsterdam Park at the corner of Avenue Road and St. Clair Avenue West. The balance will be used for improvements to David A. Balfour Park at the east end of Rosehill Avenue. Projects include addition of a water fountain for dogs, 10 benches, railings in the Vale of Avoca ravine and staircases that will be used to enter the park.

In addition to the above public benefits, the Section 37 agreement will provide for the mandatory use of the alternative vehicular access from the west if it becomes available and the use of certain architectural finishes, as explained in the relevant sections above.

Conclusions:

This proposal represents an appropriate form of intensification in a lively Main Street/Avenue setting, enhanced by very close proximity to the Yonge Street subway and excellent shopping facilities.

The need to provide vehicular access to Yonge Street may present negative impacts for pedestrian and motorized traffic in the area, but these impacts will not be of such a magnitude,

even at the proposed increased density, as to reach unacceptable levels, so that access can or should be precluded. The proposal is designed to take advantage of a possible alternate access through the property from the west at some time in the future which would result in the elimination of the Yonge Street driveway and permit the complete restoration of the retail shopping strip in this area.

The Yonge-St. Clair Part II Official Plan and the new Yonge-St. Clair Secondary Plan state that there may be properties in this area with the potential to redevelop in excess of the existing permitted height and/or density limits in the Zoning By-law, subject to various qualifications.

I am of the opinion that 1430 Yonge Street exhibits this potential. The proposed sixteen storey, stepped back design of the building fits with the unusual configuration of the property, which extends into a surrounding higher height zone at the rear. Its ability to meet the Yonge Street sunlight standards required by the Official Plan and Zoning By-law, its conformity with other qualifications and urban design principles enunciated in the Part II and Secondary Plans and the appropriate façade it presents on all four sides make it an appropriate development for the site.

As the applicant has appealed these matters to the OMB, I am recommending that the City Solicitor and staff be instructed to support this proposal at the Ontario Municipal Board, provided the conditions set out in this report have been met. The applicant has agreed to request the OMB to not issue its order until the Section 37 agreement has been executed and registered on title and Site Plan Approval has been given.

Contact:

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List of Attachments:

Attachment 1: Site/Roof Plan
Attachment 2: East and West Elevations
Attachment 3: North and South Elevations
Attachment 4: Zoning
Attachment 5: Height Map
Attachment 6: Official Plan
Attachment 7: Application Data Sheet
Attachment 8: Agency Comments

(Attachments appended to the foregoing report were forwarded to all Members of the Midtown Community Council with the agenda for its meeting on January 21, 2003, and copies thereof are on file in the office of the City Clerk, North York Civic Centre.)

The Midtown Community Council submits the following communication (January 20, 2003) from Mike Everard, Principal, Augusta National Inc.:

“Please be advised that the urban planning firm, Augusta National Inc., acts on behalf of Catholic Cemeteries Archdiocese of Toronto, registered owners of St. Michael’s Cemetery.

Further to our March 27, 2002, meeting with Mr. Brian Gallagher, Planner, City of Toronto and representatives of the proponent, the following issues remain outstanding:

- Letter of Credit to guarantee during the building program protection of the existing fence along the cemetery’s north boundary, graves, headstones and removal of any construction related debris;
- a condition of site plan approval to ensure that no overland flow will be discharged onto the cemetery;
- Catholic Cemeteries’ approval of the architectural treatment for the first floor wall facing the cemetery;
- in addition to the proponent’s payment to the City of Toronto for public benefits under Section 37 of The Planning Act, a financial contribution is required to offset the cost of repairing and replacing sections of the cemetery’s perimeter fence, reconstruction of the main gate and ongoing security to ward off trespassers;

Pursuant to our telephone conversation dated Monday, January 20, 2003, with Mr. Auri DiRocco, the proponent agrees to discuss these matters in detail with the Catholic Cemeteries, in the near future.

Thank you for your consideration in this matter.”

The Midtown Community Council also had before it the following communications:

- (i). (January 15, 2003) from Claire and Thomas Allen;
- (ii). (January 17, 2003) from Anne Tait;
- (iii). (January 18, 2003) from John McGinnis, President, Deer Park Ratepayer’s Group;
- (iv). (January 20, 2003) from Ann Geddes, General Manager, The Badminton and Racquet Club of Toronto;

- (v). (January 20, 2003) from Phyllis Mayeda;
- (vi). (January 21, 2003) from George D. Milbrandt, Co-Chair, FoNTRA; and
- (vii). (January 17, 2003) from Anne. D. Morrison.

Brian Gallagher, Planner, gave a brief presentation.

The following persons appeared before the Midtown Community Council in connection with the foregoing matter:

- Bill Davis, President, Summerhill Residents' Association;
- Timothy Crooks;
- Fred Dharamshi, President, Yonge-St. Clair Business Association;
- Josephine Atri;
- Peter Carey;
- Mike Everard, Augusta National Inc., on behalf of Catholic Cemeteries, Archdiocese of Toronto;
- Connie Roveto, President, Metropolitan Toronto Condominium Corporation No. 773;
- Helen Cox, Bretton Place Tenants Association;
- Andrew Kidd, Badminton and Racquet Club of Toronto;
- George Milbrandt, Federation of North Toronto Residents' Association (FoNTRA)
- Stanley M. Makuch, Solicitor, Cassels, Brock & Blackwell, on behalf of the applicant;
- Howard Joy; and
- Helen Faver.