

May 6, 2016

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VIA E-MAIL

File 17637.00001

The Chair and Members
Toronto and East York Community Council
City of Toronto
2nd Floor, West Tower, City Hall
100 Queen St. W.
Toronto, ON M5H 2N2

Dear Chair and Members:

**Re: Final Report – 1-11 Bloor Street West, 768-784 Yonge Street and 760-762 Yonge Street – Zoning Amendment Application
Toronto and East York Community Council May 10, 2016 Meeting Agenda – Item TE16.10**

I. Introduction

We act as counsel for Toronto Standard Condominium Corporation No. 2208 (“**TSCC #2208**”), known as The Uptown Residences at 35 Balmuto Street (“**The Uptown Residences**”), in connection with the above matter.

We are in receipt of the Notice of the Statutory Public Meeting of the Toronto and East York Community Council (“**TEYCC**”) scheduled for May 10, 2016, in respect of the above-noted planning application (the “**Rezoning Application**”) filed by Mizrahi Development Group (The One) Inc. (“**applicant**”) in respect of the above properties (collectively the “**Site**”).

Given its location in relation to the Site, its proximity and its close functional relationship to the Site, it is clear that The Uptown Residences will be among the existing uses most directly impacted by the proposed redevelopment of the Site. It is for this reason that TSCC #2208 has been directly engaged in the Rezoning Application at all stages of the process to date, including participation at all Working Group meetings involving the Applicant, Councillor Kristyn Wong-Tam, and other community stakeholders.

Regrettably, in our view, the Rezoning Application is now coming before TEYCC before the Working Group process has run its course, and with the principal issues and concerns identified by TSCC #2208 and the various other stakeholders remaining unresolved.

The purpose of this letter is to provide TEYCC a detailed summary of our client's planning concerns regarding the Rezoning Application and why they maintain that it would be premature and inappropriate for TEYCC to recommend approval of the Rezoning Application in its current form.

For the reasons that follow, it is our respectful submission on behalf of TSCC #2208 that the Rezoning Application should be recommended for deferral by TEYCC pending further Staff investigation and analysis related to the concerns set out below. They include the following:

- A. Laneway Impacts;**
- B. Non-Compliance with the City's Tall Building Design Guidelines;**
- C. Proposed Nine Storey Podium Impacts;**
- D. Construction Impacts;**
- E. Working Group Meetings; and**
- F. Overall Summary.**

II. The Rezoning Application

The Rezoning Application (as revised) proposes a new 80-storey (304-metre) mixed-use building on the Site, with commercial uses on the concourse level and the first 9 storeys. On top of the base podium, a residential tower is proposed containing 416 dwelling units and mechanical floors.

A total of 312 vehicular parking spaces are proposed in four underground levels (below the concourse level) and 530 bicycle parking spaces are proposed on the P1 level.

Of particular note, all vehicles are proposed to access the site via a two-way U-shaped public lane from Balmuto Street, a total of 6 metres in width. There would be no direct street access to and from the Site whatsoever. Instead, the public lane would provide the sole means of vehicular access for residents and visitors of the proposed 80-storey condominium building; for the 9 floors of proposed retail uses; and for all service vehicles associated with both the residential and retail uses, including police, fire, ambulance, sanitation, and deliveries. The loading area is proposed to be located on the ground floor adjacent to the public lane.

III. Background of The Uptown Residences

The Uptown Residences at 35 Balmuto were approved by the Ontario Municipal Board in 2004 pursuant to a settlement involving the City and the developer of the 35 Balmuto site. As part of the approved settlement, the development – which is now fully built out and occupied - was required to implement a variety of public realm improvements. They include the dedication of land for the widening of the U-shaped public lane which surrounds the 35 Balmuto property on three sides. It is that same public lane upon which the Rezoning Application now proposes to rely on exclusively for all vehicular access to and from the Site.

The City's minimum width for driveway aisles and access for two-way movements is 6.0 metres. In order for The Uptown Residences to achieve the appropriate level of service and to satisfy standard City requirements, approximately 3 metres of road widening dedication was secured around the perimeter of the 35 Balmuto site, so as to expand the laneway to 6.0 metres. This laneway was specifically designed to accommodate the expected vehicle volumes generated by The Uptown Residences and the abutting residential tower to the south (21 Balmuto). It was never planned, contemplated or intended to accommodate a redevelopment at the southwest corner of Yonge and Bloor Street, let alone a comprehensive redevelopment of the magnitude and scale now proposed or one which relies on this narrow laneway for all vehicular access, to the exclusion of any direct street access.

IV. Specific Areas of Concern

A. Laneway Impacts

As indicated above, perhaps the single biggest concern relating to the Rezoning Application is the extent to which it places exclusive reliance on a 6 metre wide public laneway to provide all vehicular access to and from the site. While there may be other examples one can point to elsewhere in the City where laneways provide access to large high-density mixed-use development, we are unaware of any comparable situation involving a development anywhere close to the magnitude and scale of this development where the laneway serves as the sole means of vehicular access.

To that extent, the proposed redevelopment of the Site appears to reflect a paradigm shift in City planning policy as it relates to site access and circulation for infill development. It may well be that such laudable policy objectives as intensification, transit-supportive development and City-building warrant a more flexible policy approach toward the use of laneways to service infill development. However, one would expect the consideration of a more flexible

approach to be done through a comprehensive planning exercise leading to the development of proposed guidelines for public input and consultation, rather than on an ad hoc basis which is driven by a specific development application. Indeed, when one considers other comparable policy initiatives such as the City's Mid-Rise Building Guidelines for Avenues – which involved extensive public consultation, stakeholder input and refinement prior to their adoption by Council – with the greatest of respect, the undue haste with which Staff are prepared to support the exclusive use of a 6 metre wide public laneway for vehicular access to an 80-storey residential tower and 9-storey retail complex, in the absence of any guidelines and contrary to years of developed traffic planning and Official Plan policy, becomes all the more remarkable and inexplicable.

The proposed development of the Site will clearly mean significant new vehicular loading on a laneway system which was designed principally to accommodate the existing scale of development. As noted above, it was not planned, designed or intended to accommodate the burden associated with the additional scale of development now proposed. From the standpoint of our client, whose residents see and experience first-hand and on a daily basis the practical challenges associated with access to and from the parking and loading facilities on their site even under existing circumstances, the Rezoning Application raises fundamental concerns of public safety and security. It will also severely compromise the ability of the Uptown Residences to accommodate the safe arrival of its residents and users of their property, including deliveries and the use of their loading bay. Respectfully, it is unfair and unreasonable to expect planned and approved existing developments such as 35 Balmuto to bear such burdens and rely to such an extent on unproven mitigation measures (such as valet parking) to alleviate those burdens.

We have reviewed the justifications provided on behalf of the Applicant in respect of the exclusive reliance on the laneway for vehicular access and have noted some continued major deficiencies. As identified by our client's planning consultant, Martin Rendl, there continue to be significant concerns which, in our respectful submission, have been either overlooked or disregarded by Staff to date. They include the following:

- *No analysis of traffic volumes in lane from 1 Bloor, 21 & 35 Balmuto (parking spaces/cars relying on lane almost doubles: 230 spaces 35 Balmuto + 120 spaces 21 Balmuto + 305 1Bloor West)*
- *Doubling of lane traffic expected (Figure 7 – 11, BA 2015 report), appears lower than latest estimate of 105 to 110 trips in AM & PM peak*

- *No analysis of traffic conflicts in lane (deliveries, resident traffic, visitor traffic, retail traffic, waste collection) that can reasonably be expected*
- *BA Group's assumption that lanes will operate freely (Table 14, LOS A & B) without on-site conflicts or external impediments ignores reality that traffic at times will not be able to exit from lanes when traffic on Balmuto is backed up north and south bound (e.g., cannot make turns onto Bloor Street). BA admits Balmuto/Bloor intersection operates at LOS E to F. (Staff Report, page 31)*
- *No ability to place signs at lane entrances on Balmuto to advise drivers if parking is full or other conditions*
- *BA Addendum only has signage plan for lane interior and 1 Bloor building, limited to identification and maneuvering warnings*
- *No sign indicating if 1 Bloor parking is full*
- *Lanes are acknowledged by Transportation Services page 14 as "low order road" yet are being asked to function as local streets*
- *Planning staff (page 32 of report) acknowledge lanes "by their design and use are not intended to function as streets" but the traffic and operations they are intended to handle in this case take place on local roads in the downtown e.g., Financial District office towers, parking and loading have direct access to a public street generally not shared by adjacent buildings*
- *Why is the existing lane from Bloor Street not being retained for vehicles? Why is City insisting this lane not be accessible to vehicles except for H & M? (page 13 Transportation Services comments)*
- *No assessment of impact of H & M continuing to receive deliveries in the lane, blocking lane traffic*
- *Pedestrian visibility to traffic exiting lanes not addressed (mirrors are not enough, warning buzzers are nuisance to residents)*
- *Proposal to schedule deliveries to off peak hours creates disturbances for existing residents*
- *1 Bloor parking heavily dependent on valets and parking stackers; introduces two critical operations that are at risk of breakdown resulting in shutdown of parking regime*

- *Unclear with 1 Bloor's blended supply of resident and retail parking, how resident parking is assured and guaranteed to residents*
- *Transportation Service acknowledges "sharing of parking spaces between residents and non-residents is relatively uncommon in the City of Toronto", but considers it acceptable because, among other things, there is "constrained site area" (page 17) and leaves it to "ultimately ... to the satisfaction of both the condominium board and the parking garage operator". Respectfully, this appears tantamount to an acknowledgement that Staff do not how it will work, but expect that the developer will somehow make it work*
- *Pedestrians use laneways, no consideration given to safety of pedestrians in lane with car and truck traffic*
- *This is a public lane. Who will manage the lane and enforce controls? Full time City parking enforcement to be stationed there?*
- *Timeliness and quality of winter maintenance by City? Snow storage/removal?*
- *1 Bloor storm sewer to be constructed in the lane. How is traffic handled during construction of services?*
- *Construction deliveries for 1 Bloor will likely be via the lane, affecting operation of lane during period of construction and potential for extended closures and blockages.*

B. City's Tall Building Design Guidelines (the "Guidelines")

While the City's Guidelines provide for point towers, the prevailing consideration is to ensure a minimum separation distance of 25 metres. By applying a conical 25 metre influence area, in this instance the Guideline standard is not achieved by the proposed development.

While acknowledging that the Yonge/Bloor intersection is one of the most prominent locations in the City, it remains necessary to plan the future of this location with extreme care. Development applications such as this are driven in part by the liveability of downtown neighbourhoods and care must be taken to ensure that they do not undermine the very liveability that encourages them to come forward, to the detriment of existing residents. Such care includes ensuring the appropriate level of transition and compatibility among buildings and between existing and proposed developments. In our respectful submission, this warrants adherence to the Guideline standard of a 25 metre separation distance between tall buildings.

C. Proposed Nine Storey Podium Impacts

Due to the placement and configuration of the proposed development on the Site as part of the Rezoning Application, a significant 9-storey (61 metre) unarticulated wall podium will be a prominent feature for the residents of 35 Balmuto. Because this element is proposed to be built right up to the lot line, it will be located approximately 6 metres from the north and east facing units at 35 Balmuto, and at 61 metres it will be roughly equivalent to the height of the first 20 storeys of the 35 Balmuto building. Such an interrelationship is a clear indication that the lot area and density proposed by this development represents an overbuilding and overcrowding of the Site in its surrounding context.

In our respectful submission, the proposed massing and scale of this podium element represents a significant and unwarranted visual intrusion. While we understand the applicant has suggested this podium element is permitted “as-of-right”, its massing must be assessed in relationship to the entirety of the proposal. The project must be viewed in its totality to ensure the best design, massing and deployment of density is achieved and to ensure a compatible and harmonious living environment among neighbouring properties. There are significant concerns that such an appropriate relationship will not be achievable with the proposed development of the Site in its current form and that the proposed implementing zoning by-law will not allow for an appropriate built form relationship with a sufficient degree of openness, natural light and spatial separation.

Overall, the current proposal fails to ensure proper integration of the Site with all elements of its surrounding context, including its interface with 35 Balmuto and other properties which abut the public laneway. From the standpoint of scale, form, character and compliance with the relevant policy framework and guidelines, it falls far short of appropriate sensitivity to adjacent development and does not respect the existing built form or building patterns on adjacent lands. In many respects, the proposed design of the Site would result in a built form that falls outside of the intent of the City’s own policy framework and guidelines for development in this part of the City.

D. Construction Impacts

Of further concern is that the development proposes four levels of underground parking which will include substantial laneway disturbance (below and above grade). Since these construction works will certainly be installed by drilling some form of caissons and/or piles and lagging, there is a significant concern and anticipation that any levels of transmitted

construction vibrations (and subsequent increase of truck traffic on the laneway) will cause nuisance and disturbances for residents of 35 Balmuto.

Moreover during the build-out of the project, there will no doubt be extensive reliance on this laneway to deliver materials and products to the Site over a protracted period of many years. Such deliveries will inevitably block the laneway for extended periods, thereby causing significant and undue interference to this vital link for The Uptown Residences in terms of their service and parking facilities. From our client's standpoint, the nature and extent of these concerns go well beyond the ambit of what can be reasonably and sufficiently addressed as part of a construction management plan and appropriately left to the site plan stage.

E. Working Group Meetings

As noted above, representatives of our client have been regular attendees at the meetings of the Working Group coordinated by Councillor Wong-Tam. The most recent Working Group meeting (#5) was a very well-attended session held on Tuesday, April 26th. It was the collective understanding of the community stakeholders such as our client that these meetings were intended to facilitate an ongoing dialogue and a forum for exchange of ideas on how certain aspects of the proposed development might be improved for the benefit of all concerned, and to facilitate a greater understanding of the design and operational specifics to be incorporated into the project.

Unlike the previous Working Group meetings, Minutes of the April 26th meeting were kept and were circulated to all attendees, and a copy is attached hereto as Appendix "A". It is quite apparent from a review of those Minutes that there remain significant concerns surrounding the project and its critical implementing details. Many of those concerns are of fundamental importance to the planning merits of the proposed implementing zoning by-law and the resulting uncertainty from our client's standpoint that it will create unacceptable impacts for their properties.

Of equal importance and concern was the suggestion that many of these details are intended to be deferred and addressed only at the site plan stage. Given the nature of that process, there will be limited opportunities for parties other than the applicant and the City who are most directly affected, such as our client, to have meaningful input into the process and ultimate outcome, regardless of the assurances that a forum will be established for that purpose. Many of the concerns noted in the attached Minutes are fundamentally of great significance in the proposed implementing zoning by-law.

In our respectful submission, City Staff appeared to have placed themselves in the position of advancing a project that has yet to reach a state of planning maturity. There are far too many unresolved issues and project details that have been inappropriately left to the site plan stage to be addressed. From our previous experience, City Staff are invariably reluctant to bring forward recommendations for approval unless and until all of the key elements have been addressed and the legitimate planning concerns raised by other stakeholders have been fully vetted. This case appears to represent an unusual and marked departure from the usual cautious and deliberative approach taken by City Staff.

V. Summary

In summary, TSCC #2208 acknowledges that the development approval process in the City is inevitably one which is driven primarily by developer applications. As much as the *Planning Act* and initiatives at the Provincial and municipal level seek to promote a policy-led system to which development applications should be responsive, ultimately it continues to be the specific development objectives and lot assemblies of individual developers that primarily drive the application process.

In our respectful submission, it is precisely for this reason that City Staff and Council must be vigilant to ensure that when considering a major development application that clearly has certain positive attributes - as this one does - the process and outcome do not deviate from recognized and established policy requirements largely because of the particular lot assembly and a desire on the part of Staff to try to 'make it fit'. This is of particular concern when it results in attributes one would never deliberately plan or design for if given the choice - such as, in this case, exclusive reliance on a 6-metre wide laneway system to provide all vehicular access for a mixed-use development project which is intended to accommodate thousands of residents, visitors and retail customers on a daily basis.

At this point there continue to be numerous areas of concern and significant outstanding planning issues which have been raised by The Uptown Residences and other affected community stakeholders. In our respectful submission, many of these issues have not been comprehensively addressed by City Staff and remain unresolved. These concerns warrant a prudent planning pause to identify further areas of required assessment, to allow for further study and discussions among affected stakeholders, and ultimately to ensure that fundamental questions of land use compatibility are appropriately addressed and resolved. We welcome

the opportunity to continue that dialogue with City Staff, Councillor Wong-Tam and the applicant's representatives.

Please accept this letter as our client's initial assessment and submission filed prior to Council's consideration of the Rezoning Application, pursuant to the requirements of the *Planning Act*. We reserve the right to further supplement our client's concerns as part of any further processing of the Rezoning Application.

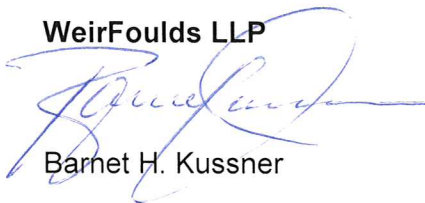
Please also accept this letter as our formal request on behalf of our client that we be provided with any future Staff Reports, Council and/or Committee's resolutions, and Notice of Decision by the City pursuant to the requirements of the *Planning Act*.

We will be in attendance at the TEYCC Meeting on Tuesday, May 10th to speak to these concerns in further detail as part of a deputation on behalf of TSCC #2208. In the interim, if you have any questions please do not hesitate to contact our Senior Planner, Paul Chronis at (416) 460-0039 or by email at pchronis@weirfoulds.com.

Thank you for your consideration of these submissions.

Yours truly,

WeirFoulds LLP



Barnet H. Kussner

BHK/PC:cl
Encl.

- c: A. Brown, counsel for the Applicant
- D. Simor, Advisor, Policy & Community Relations, Councillor Kristyn Wong-Tam
- M. Rendl, Martin Rendl Associates
- P. Russell
- B. Singer
- TSCC #2208 Board

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APPENDIX "A"

ATTENDEES:

The City

Councillor Kristyn Wong-Tam
David Simor, Councillor's office
James Parakh, Urban Design, City of Toronto
Oren Tamir, City Planning, City of Toronto
Jamie McEwan, City Planning, City of Toronto
Lukasz Pawlowski, Transportation, City of Toronto
Matt Severino, Transportation, City of Toronto

The Applicant

Sam Mizrahi, Mizrahi Developments
Babak Eslaffjou, Core Architects
Steve Krossy, BA Group, Traffic Consultants
Brian Laye, Core Architects
Joshua Lux, Mizrahi Developments
G. Lail Jameson, Cini-Little, Solid Waste Consultants
Christopher Borgal, GBCD Architects, Heritage Consultants

Area Stakeholders

Brenda Singer, 35 Balmuto
Olivier Sorin, 35 Balmuto
Marco Mancini, 35 Balmuto
Juliet Atha, 35 Balmuto
Maurice Kreitzer, 35 Balmuto
Jeroham Singer, 35 Balmuto
Paul Chronis, Weir Foulds, Planning Consultant for 35 Balmuto
Peter Russell, Urbacon
Navin Phulesar, Urbacon
Patrick Berne, 764 Yonge Street
Rob Jefferson, 15 Bloor West
Bob Fabian, Church Wellesley Neighbourhood Association (CWNA)
Linda Brett, Bloor East Neighbourhood Association (BENA)
Paul Smith, Bloor East Neighbourhood Association (BENA)
John Birt, Bloor East Neighbourhood Association (BENA)
Kathryn Holden, Bay Cloverhill Community Association (BCCA)
Ian McLeod, Muzzo Group
Michael Landry, Greater Yorkville Residents Association (GYRA)
Alan Baker, Greater Yorkville Residents Association (GYRA)
Ian Carmichael, ABC Residents Association
Gee Chung, Bloor-Yorkville Heritage Conservation
Pamela Kalsner, 55 Bloor Street West
Brian Rice, Bloor-Yorkville BIA (BYBIA)
Briar de Lange, Bloor-Yorkville BIA (BYBIA)
Bob Saunderson Bloor-Yorkville BIA (BYBIA)
Doug Fisher, Yonge Bay Bloor Business Association

Community Comments:

BCCA

- Concerned about how nighttime garbage pick-up will function and effect the area
- Can the garbage storage be moved to the concourse level?
- The site isn't large enough for the height and density being proposed
- Precedent setting building, will set standard for future corner sites

Applicant Response

- Want to connect to the PATH via the concourse level, so not a good place for garbage storage
- Similar garbage storage systems exist around the globe and work well
- All night time servicing will be internal to minimize noise
- Beeping will occur when trucks are backing out
- If we were to purchase more land to the west or south, wouldn't reduce the density
- If the properties to the south were purchased, would be space for another tower

BENA

- Path connection through the valet area isn't very functional
- Concerned about wind effect on the 10th floor outdoor amenity space
- Serious concerns about how the bike access to the bike parking area will work
- Requested to see the bike elevator positioning

Applicant Response

- If the Path Connection through the valet area comes to pass, would need to re-design that space to accommodate both
- Will work through the wind concerns on the 10th floor.

CWNA

- Concerned about how the animation on Yonge Street will work
- Doesn't seem to mesh with the animation proposed for Bloor Street
- How do deliveries to the 75th floor work?

Applicant Response

- Deliveries will stop in the valet area to drop off pizzas
- Retailers do not like having two entrances onto the street
- Will have an entrance onto Bloor
- For Yonge, will have tall glazing at grade, with benches and street trees

BYBIA

- Concerned about impacts adding traffic signal at Bloor and Balmuto will have to vehicular traffic
- Don't believe the loading and servicing from the laneway will function well
- We want people to be able to move around the area freely
- Were told PATH Connections were imminent, now we are hearing they are potential options at some future point

-There is already a height precedent across the street at 1 Bloor East, that should be used here

Applicant Response

- We are eager to have PATH connections, but need agreement of adjacent property owners
- We are pursuing those, but we can't force the other owners to agree

Transportation Response

- We have studied the traffic signal at Balmuto and feel it is warranted
- It will be a condition of approval for the application
- Will co-ordinate the timing of the light with others on Bloor

Councillor Wong-Tam Response

- The City supports the PATH connections, and will assist where possible with other property owners to find an agreement
- However, the City does not pay for the connections

35 Balmuto

- Height and density is a big concern
- 28 times FSI is a lot
- 1 Bloor East is only 17 times FSI
- Effects on the laneway are very troubling
- Cumulative effect of the three buildings would be 1400 trips a day in the laneway
- Laneway is congested now, will be gridlocked if this moves forward
- The laneway was not designed for this volume of traffic
- Is there a plan if the seven valet spots are not adequate?
- The north-south laneway that provides access for 15 Bloor West seems dangerous to pedestrians
- Can the bylaw provide access to a loading bay in the new building for our residents?
- How will noise from the residential amenity area be addressed?
- Is there another example of a 6 metre wide laneway accommodating 28 times FSI?
- How do we ensure that the loading dock operates the way they say it will?
- What will the west facing podium portion of the tower look like?
- Why does the parking have to be valet?
- How will turning radii work?

Applicant Response

- If the seven valet spots are full, will park on P1
- We looked into the loading that takes place currently at 35 Balmuto, and for the most part, it's small cars and vans that can be accommodated in their own parking
- Is a Canada Post truck that visits daily that would be suitable for our dock
- We use valet parking because we're proposing mechanical stacked parking, which requires valet service to operate
- The City does currently permit trucks to use laneways to access sites
- Can walk you through the fifty different turning radii we've studied
- There is a precedent at Yonge and University for 32 times FSI
- This kind of density is the sign of a successful City of Toronto
- Believe the density is appropriate for the site

- We are looking at the possibility of having a remote controlled bollard for the north-south laneway
- Will send you the westward frontage images

City Planning Response

- Noise from residential space would be comparable to the noise created by other condominium amenity space
- It's not for commercial use
- The Official Plan speaks to this intersection as being the peak of the height peak
- We don't evaluate applications based solely on the density coverage, but use a variety of tools and metrics
- Other than density, those other performance standards have been met
- As this location is unique, we don't believe it will set a precedent

GYRA

- Do the vehicular counts include retail and commercial traffic?
- Are the PATH Connections actually going to happen?
- Huge concerns around height and density
- Don't think the laneway will function properly

Applicant Response

- Yes, vehicular numbers do include anticipated retail and commercial traffic
- We anticipate one additional car inbound and one outbound per minute at peak traffic times

ABC

- Think the City needs to engage in block planning, similar to East of Bay study
- The shadow impacts to Jesse Ketchum Park and School, as well as low rise neighbourhoods are significant
- The sidewalk width on Yonge is not sufficient
- We should explore moving the heritage façade further west to allow for more sidewalk space
- This building is a huge ask from the developer
- Not clear from the submission that the traffic and liveability of the area won't be adversely effected
- Not clear how traffic in the north-south laneway will work
- The application is trying to stuff a ten pounds worth of hammers into a five pound bag

Applicant Response

- If we moved the heritage façade back, we would be in serious breach of the North Yonge HCD

Bloor-Yorkville Heritage Conversation

- There was an Aboriginal burial site on Yonge between Bloor and Charles
- Most likely it is beneath 784 Yonge Street

Applicant Response

- We will look into that

-There are regulations from the Province that outline what must happen if a site has archeological significance.

City Planning Wrap Up

- The final report will be on the agenda for the May 10th TEYCC
- It will be a positive staff report, subject to many conditions
- This report deals only with the re-zoning, not with the site plan or construction management
- Those are dealt with in separate reports
- If TEYCC refuses the report, it will go to City Council as a refusal
- The OMB appeal period for residents begins once the actual bylaws are adopted, not the final report
- The bylaws would only be adopted once all the conditions in the final report are met
- The applicant is in a position to appeal to the OMB today

Councillor Wrap Up

- I have bumped up the Site Plan, so the community will have a chance to formally review it
- We briefly touched on the Construction Management Plan, but we will come back to that and the Site Plan at our next Working Group meeting