

45 St. Clair Avenue West – Official Plan and Zoning By-law Amendment Application – Decision Report – Approval

Date: November 15, 2024

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 22 200453 STE 12 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 161.5-metre (51-storeys excluding mechanical penthouse) mixed-use building. The proposed building contains 461 residential units, with a total gross floor area of 43,250 square metres and a minimum of 1,800 square metres of gross floor area for non-residential uses.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District, recommends that:

1. City Council amend the Official Plan, for the lands at 45 St. Clair Avenue West substantially in accordance with the Draft Official Plan Amendment included as Attachment No. 5 to this report.
2. City Council amend Zoning By-law 569-2013, for the lands at 45 St. Clair Avenue West substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 6 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.
4. Before introducing the necessary Bills for enactment, City Council require the owner to:
 - a. submit a revised Functional Servicing Report and Stormwater Management Report ("Engineering Reports") to demonstrate that the existing sanitary sewer system and watermain, and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the

satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

b. if the accepted and satisfactory Engineering Reports, from (a) above, require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:

i. 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 Engineering Reports, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or,

ii. the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted Engineering Reports in (a) above are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and

c. all necessary approvals or permits arising from (4)(b)(i) or (4)(b)(ii) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

FINANCIAL IMPACT

The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

THE SITE

Description: The site is located on the south side of St. Clair Avenue West, approximately 85 metres west of Yonge Street. The site is square in shape with 57.20 metres of frontage on St. Clair Avenue West, a lot depth of 54.90 metres, resulting in a total lot area of 3,134 square metres.

South of the subject site is the Badminton and Racquet Club and St. Michael's Cemetery. To the east is a 5.7 metre-wide private driveway and commercial buildings ranging from 1 to 3-storeys. Further east, at 1-13 St. Clair Avenue West, on the southwest corner of St. Clair Avenue West and Yonge Street, there is a Zoning By-law Amendment application (21 249631 STE 12 OZ) under review by city staff to permit a 49-storey mixed use building.

The private driveway provides the sole access to the Badminton and Racquet Club and also services the adjacent retail uses to the east of the driveway fronting St. Clair Avenue West. To the west of the site are two residential buildings at 7 and 13-storeys.

The site is located approximately 180 metres from the entrance of the St. Clair Subway Station on the Yonge-University Line and is directly adjacent to a St. Clair Avenue Streetcar stop.

Existing Use: The subject site is currently a 14-storey office building with a total gross floor area of approximately 11,000 square metres.

THE APPLICATION

Description: A 161.5 metres (51-storeys excluding mechanical penthouse) mixed-use building with ground level retail and additional non-residential space on the second floor.

Density: 13.69 times the area of the lot.

Dwelling Units: 461 dwelling units including 6 studio (1.3%), 220 one-bedroom (47.7%), 188 two-bedroom (40.8%), and 47 three-bedroom units (10.2%).

Non-Residential: 1,800 square metres of retail gross floor area (GFA), including two retail units and a retail lobby on the ground level and the remaining non-residential GFA on the second level.

Amenity Space: 2,593.42 square metres of total amenity space (5.62 square metres per unit), located on the third and 51st floor, which includes 1407.28 square metres of indoor amenity space (3.05 square metres per unit) and 939.93 square metres of outdoor amenity space (2.03 square metres per unit).

Access, Parking and Loading: Pedestrian entrances to the residential lobby and commercial retail lobby and ground level commercial retail units are proposed from St. Clair Avenue West. Vehicular access is proposed from the northwest corner of the site from St. Clair Avenue West. A driveway will provide access to three levels of underground parking. The proposal includes 180 vehicular parking spaces, 139 residential, 41 visitor (shared between residential visitors and non-residential visitors) and 1 car share space.

A Type 'B', a Type 'C' and a Type 'G' loading space are proposed to be accessed from the same driveway from St. Clair Avenue West and will be internalized and at-grade.

A total of 652 bicycle parking spaces are proposed, including 570 residential long-term spaces, 55 residential visitor short-term spaces, 6 retail long-term spaces, 11 retail short-term spaces and 10 transit short-term spaces. The bicycle parking spaces will be located on Parking Level 1, along with a Bike Repair Station.

The proposed development would facilitate widening of the private north-south driveway to the east of the site to achieve a width of 6.0 metres and a 1.5-metre clearway for pedestrian access to the Badminton and Racquet Club. The driveway widening would improve access and safety.

Additional Information: See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposed development. 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: <https://www.toronto.ca/city-government/planning-development/application-details/?id=5162196&pid=203219&title=45-ST-CLAIR-AVE-W>

Reasons for Application

The Official Plan Amendment (OPA) Application is required to amend the Yonge-St. Clair Secondary Plan to set a maximum height of 161.5-metres. The OPA will permit a higher density and scale than identified in the Secondary Plan.

The proposed development requires an amendment to Zoning By-law 569-2013 to vary performance standards, that will increase the permitted height, density and revise other performance standards.

POLICY CONSIDERATIONS

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. On October 20, 2024 the Provincial Planning Statement (PPS) (2024) came into effect, combining the Provincial Policy Statement (2020) and the Growth Plan (2020) into a single policy document.

Official Plan:

The land use designation for the site is Mixed Use Area. See Attachment 3 of this report for the Official Plan Land Use Map.

Yonge-St. Clair Secondary Plan:

The Yonge-St. Clair Secondary Plan identifies the site as Mixed Use Area 'B'. See Attachment 4 of this report for the Secondary Plan Land Use Map.

Yonge-St. Clair Planning Framework:

The Yonge-St. Clair Planning Framework aims to achieve a vibrant and walkable area with a diverse mix of uses, commercial opportunities, and community destinations located within a system of open spaces and parks.

Map 2 of the Framework outlines an urban structure comprised of a 'Height Peak' around the intersection of Yonge Street and St. Clair Avenue and 'Transition Zones' generally located between the 'Height Peak' and the surrounding area.

The 'Height Peak' will contain the tallest buildings in the Framework area. 'Transition Zones' located around the 'Height Peak' will see a clear step down of height from the 'Height Peak' down to the surrounding context.

Section 3 of the Framework outlines Seven 'Big Moves' to improve the public realm. 3.7 Racquet Club Connection, which speaks to the south-west quadrant of Yonge-St. Clair and the improvements to transform and expand pedestrian connectivity to, and through, the rear of the block from St. Clair Avenue West to Yonge Street.

Zoning:

The subject site is zoned CR 4.25 (c2.0; r3.0) SS2 (x2258) under Zoning By-law 569-2013. The CR zoning category permits a range of commercial and residential uses. The maximum permitted height is 46 metres. See Attachment 5 of this report for the existing Zoning By-law Map.

Design Guidelines:

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

- Tall Building Design Guidelines;
- Growing Up Guidelines for Children in Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities; and
- Toronto Accessibility Design Guidelines.

Toronto Green Standard:

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.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by city staff on November 29, 2022. City staff and the applicants provided presentations to the community. Approximately 94 people attended, as well as a representative from the local Councilor's office.

The following comments were provided by participants:

- Support for a reduced parking rate;
- Desire for improved safety measures for cyclists and pedestrian safety during construction;
- Desire for a dedicated Pick-up and Drop off area to accommodate deliveries; and
- Concerns with traffic and congestion.

The issues 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.

Additional Public and Stakeholder Engagement

Badminton and Racquet Club

Community Planning facilitated and engaged in discussions between City Staff, the Badminton and Racquet Club, the applicant, and other adjacent land owners on several occasions to consider the potential future Block Context. Recent discussions focused on revisions to the application at 45 St. Clair Avenue West that reflect the specific concerns of the Badminton and Racquet Club, including a lane widening and improved setbacks between the two sites.

City staff have reviewed a detailed letter to the City, submitted by the Badminton and Racquet Club, dated October 21, 2024, that outlines areas of support and outstanding concerns.

Deer Park Residents Group

Community Planning staff, the Councillor's office and members of the Deer Park Residents Group (DPRG) met in person on April 29, 2024 to discuss active development applications and the priorities of the group regarding redevelopment in the area. Issues such as wind conditions due to tall buildings, traffic and safety concerns, and ravine improvements were discussed.

Oriole Park Community Festival

City staff along with the Councilor's office attended the Oriole Park Community Festival on October 5, 2024, where Community Planning staff engaged with members of the public to discuss planning matters and active development applications in the area of Yonge-St. Clair and Oriole Park. Comments received at this event included a desire for safety improvements for pedestrians and cyclists at the St Clair Avenue West and Yonge Street intersection.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to hear the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate the appropriate Official Plan and Zoning By-law amendments.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Planning Statement (2024). Staff find the proposal is consistent with the PPS (2024).

Built Form

City Planning staff finds that the proposed development conforms with the Yonge-St. Clair Secondary Plan and applicable Official Plan policies with respect to built form and massing, and the Tall Building Guidelines.

Height

The proposed height of 161.5 metres (51-storeys, excluding the mechanical penthouse) is acceptable given the site context. The Yonge-St. Clair Secondary Plan directs that the Mixed Use Area around the Yonge-St. Clair intersection will be a node of higher density and scale.

The surrounding existing and planned context include multiple tall buildings along Yonge Street and St. Clair Avenue. Recent approvals in the general vicinity of the site include a 155-metre (50-storey) mixed use building at 1406-1428 Yonge Street, a 164.8-metre (50-storey) mixed use building at 1365-1375 Yonge Street and a 162.3-metre (50-storey) residential building at 29 Pleasant Boulevard. The site is approximately 180 metres from the St. Clair Subway station and within a Council-adopted Protected Major Transit Station Area (PMTSA).

The site, located next to the Yonge-St Clair intersection, is within the 'Transition Zone', within the Yonge-St. Clair Planning Framework, but within a node of approved tall buildings. This tall building node of higher density developments extends beyond the 'Height Peak' area.

Massing

The proposed tower setbacks and tower separation are appropriate for the site and provide the necessary separation from the surrounding properties while not impeding the development potential of surrounding sites.

The proposed podium consists of three levels (16 metres in height), including a mezzanine. The rear of the podium steps in at the third level to provide outdoor amenity area.

The tower portion of the proposed development begins at level 4. The tower floor plate is approximately 902 square metres from levels 4 to 41, 831 square metres from levels 42 to 50 and 723 square metres at level 51. The tower portion of the proposed building achieves a 12.5 metres setback from the south, east and west property lines.

Public Realm and Streetscape

City staff are satisfied that the proposed development conforms with the applicable public realm policies of the Yonge-St. Clair Secondary Plan, the Official Plan, and the Yonge-St. Clair Planning Framework.

The Yonge-St. Clair Planning Framework states that tall buildings will be located on sites that are large enough to accommodate considerable expanded and improved public realm. The proposed development provides positive enhancements to the public realm with a 6.6-metre setback on the St. Clair Avenue West frontage.

The proposed building is setback approximately 6.6 metres from the lot line along St. Clair Avenue, and 9.4 metres from curb to building face. The current proposed development features planters, shade trees, and seating along with a forecourt at the northeast corner of the site. The St. Clair Avenue frontage will have a residential lobby between two retail units and a retail lobby that will provide access to additional non-residential space on level two.

The Yonge-St. Clair Planning Framework identifies the Racquet Club Connection and the objectives to improve on that connection. The proposed development will help facilitate improvements to the north-south driveway along the east lot line. A 0.3-metre driveway widening is achieved to provide a 6.0-metre driveway. Additionally, a 1.5-metre sidewalk will be provided, improving pedestrian access to and from the Badminton and Racquet Club.

Shadow Impact

The Shadow Study dated August 31, 2022 submitted by Sweeny & Co Architects and updated analysis included with the resubmission, dated September 12, 2024.

The Shadow Study demonstrates incremental shadowing from the proposed development on the lower-scale residential areas to the north. Shadow impacts would be limited to the front yard of 26 Delisle Avenue (Calvin Presbyterian Church) on the Spring and Fall equinox at 11:18 am, with incremental shadowing other properties north of Delisle Avenue.

The Shadow Study demonstrates that the proposed development would allow for five consecutive hours of sunlight on Yonge Street during the Spring and Fall equinox and six hours during the summer equinox. On St. Clair Avenue West, the proposed development would cast a minor shadow on the Spring and Fall equinox from 1:18 to 4:18 pm.

No new shadows would be cast from the proposed development on St. Michael's Cemetery to the south. Delisle Park to the north, would experience a minimal shadow cast on the park on the Spring equinox at 2:18 pm and on the Fall equinox a minimal shadow would be cast on the southwest corner of the park at 11:18 am. No shadows would be cast on the park during the Summer equinox.

Staff have assessed the proposed development in terms of the incremental impact that would result from the proposed development and are satisfied that it would adequately limit shadow on shadow-sensitive areas, parks, publicly-accessible open spaces and sidewalks.

Wind Impact

A Pedestrian Level Wind Study indicates that the areas on and surrounding the site will experience conditions that would be considered safe.

Further, the study indicates that the ground floor, public realm, sidewalks and driveway would experience wind conditions suitable for walking or better, during each season period, which is acceptable for the intended uses of those spaces. The report recommends that for the outdoor amenity space located on level 3 at the rear of the building, a 1.8-metre vertical wind barrier along the perimeter of the terrace should be provided, as well as canopy or pergola structure above seating areas.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

Unit Mix

A total of 461 residential units are being proposed as part of the development application. The proposed unit mix of 6 studio (1.3%), 220 one-bedroom (47.7%), 188 two-bedroom (40.8%), and 47 three-bedroom units (10.2%) meets the policy direction of the Official Plan to provide a full range of housing, and meets the intent of the unit mix objectives of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines.

Parkland

In accordance with Section 42 of the Planning Act, the applicant 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

An arborist report was submitted indicating the removal of three trees which are protected under the provision of the Private Tree By-law, requiring nine replacement trees to be planted. The landscape plans submitted as part of the development proposal indicate that four large growing shade trees will be planted on the site an appropriate growing environment. As such the applicant is required to provide a cash in lieu payment for five trees.

Traffic Impact, Access, Parking

Transportation Services staff have reviewed the Urban Transportation Considerations Report and are satisfied with its conclusions.

Servicing and Stormwater Management

Engineering and Construction Services staff have reviewed the submitted Functional Servicing and Stormwater Management Report and a Hydrogeological Review Report in support of the proposal, and have identified several outstanding items requiring revision, resubmission and acceptance associated with the Functional Servicing Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. This must be addressed prior to the enactment of the Zoning By-law.

The owner will also be responsible for paying for and constructing any improvements to the municipal infrastructure in connection with the site servicing report, should it be determined that upgrades to such infrastructure are required to support this development.

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 and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local 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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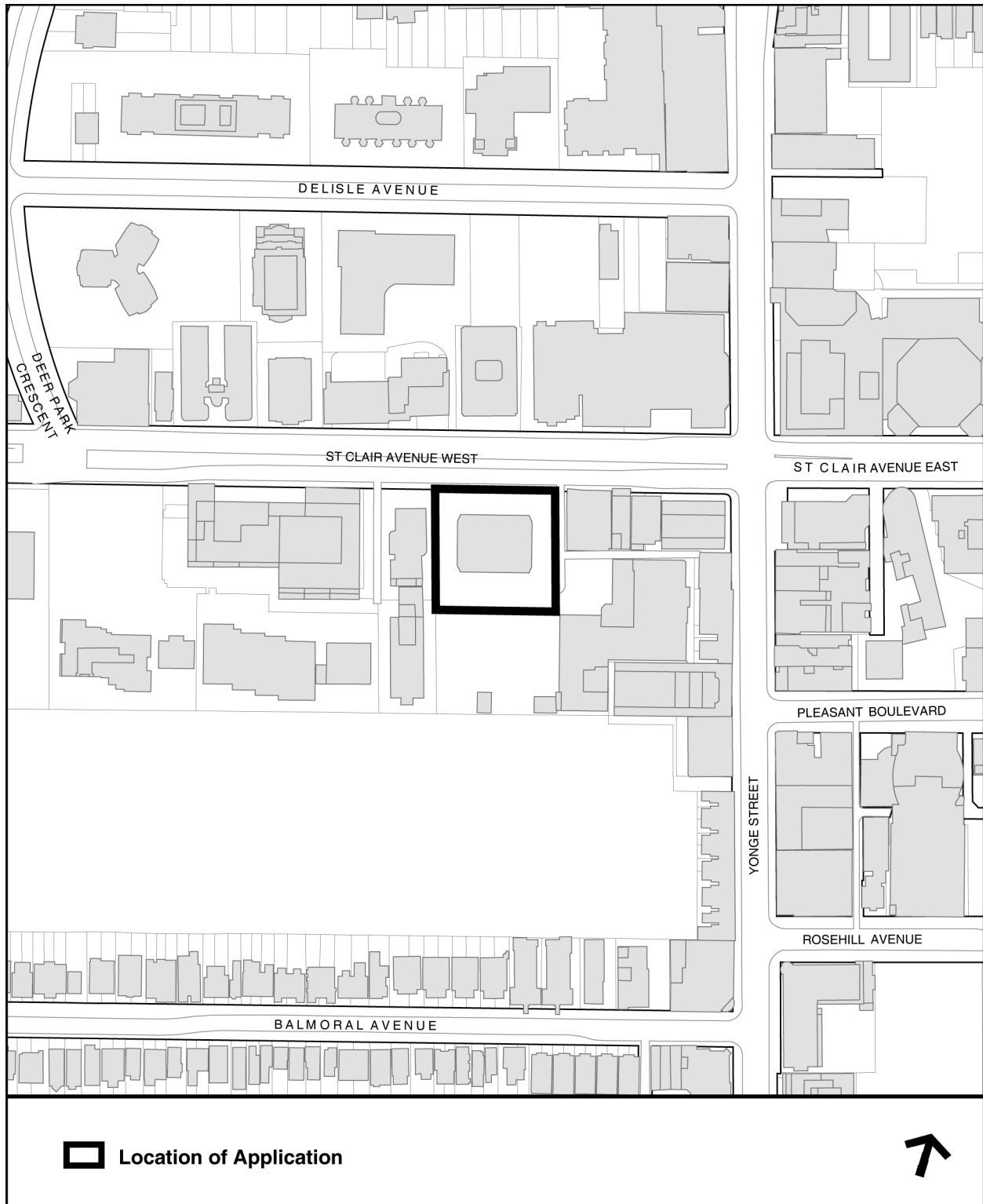
SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

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|----------------|--|
| Attachment 1: | Location Map |
| Attachment 2: | Application Data Sheet |
| Attachment 3: | Official Plan Land Use Map |
| Attachment 4: | Yonge-St. Clair Secondary Plan Map |
| Attachment 5: | Yonge-St. Clair Planning Framework - Urban Structure Map |
| Attachment 6: | Existing Zoning By-law Map |
| Attachment 7: | Draft Official Plan Amendment |
| Attachment 8: | Draft Zoning By-law Amendment |
| Attachment 9: | Site Plan |
| Attachment 10: | Elevations |
| Attachment 11: | 3D Model of Proposal in Context |

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 45 St. Clair Ave W. Date Received: August 31, 2022

Application Number: 22 200453 STE 12 OZ

Application Type: Official Plan & Zoning By-law Amendment

Project Description: A 51-storey mixed-use building.

Applicant	Agent	Architect	Owner
Bousfield's Inc.	Courtney Heron-Monk	Sweeny & Co. Architects	Manulife Ontario Property Portfolio Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR 4.25 (c2.0; r3.0) SS2 (x2258) Heritage Designation: N

Height Limit (m): 46.0 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 3,134 Frontage (m): 57.2 Depth (m): 54.9

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	939.42		1,729.1	1,729.1
Residential GFA (sq m):	0.0		40,556.07	40,556.07
Non-Residential GFA (sq m):	1,672		2,358.92	2,358.92
Total GFA (sq m):	1,672		42,914.99	42,914.99
Height - Storeys:	13		51	51
Height - Metres:	45		160	160

Lot Coverage Ratio (%): 55% Floor Space Index: 13.79

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

Residential GFA: 40,556
 Retail GFA: 2,358.92
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			461	461
Freehold:				
Condominium:				
Other:				
Total Units:			461	461

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		6	220	188	47
Total Units:		6	220	188	47

Parking and Loading

Parking Spaces:	180	Bicycle Parking Spaces:	652	Loading Docks:	3
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CONTACT:

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 416-338-7241
 Cameron.Williamson@toronto.ca

Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

45 St Clair Avenue West

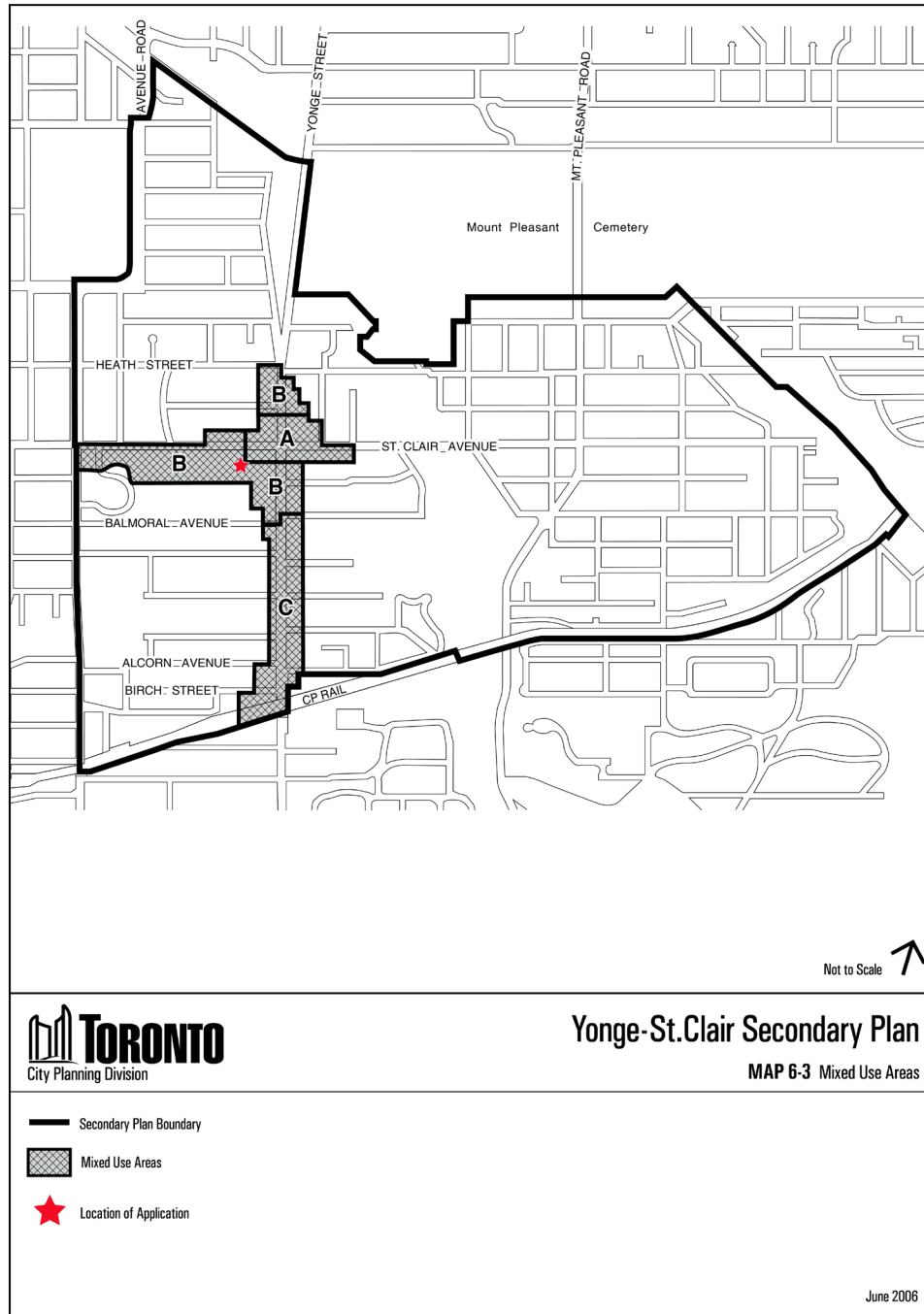
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Extracted: 09/12/2022

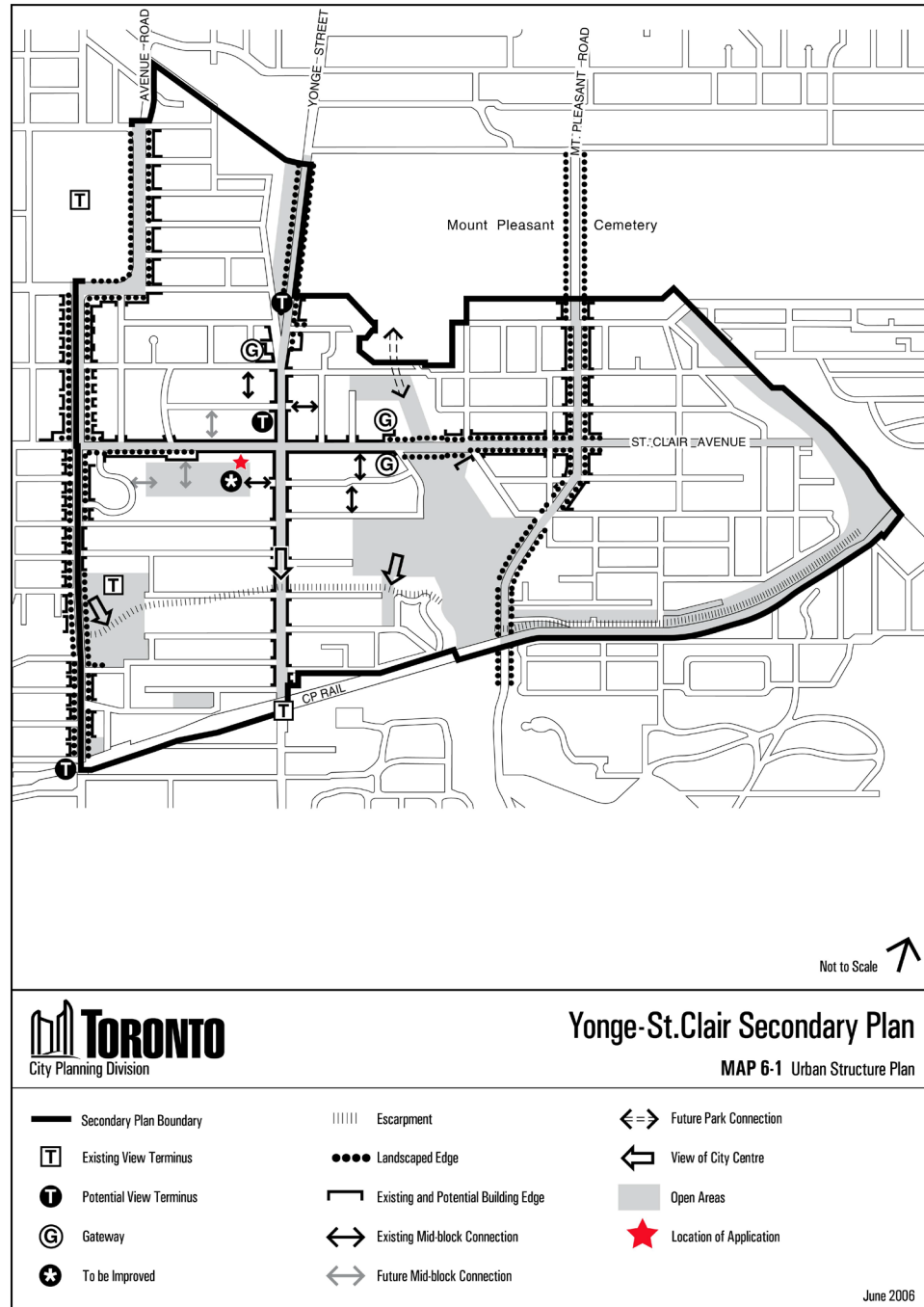
Attachment 4: Yonge-St. Clair Secondary Plan Map

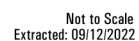
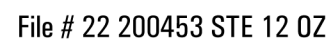
MAP 6-3: MIXED USE AREAS



Attachment 5: Yonge-St. Clair Planning Framework - Urban Structure Map

MAP 6-1: URBAN STRUCTURE PLAN



[illegible]

Attachment 7: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO
Bill XXX
BY-LAW XXX

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023, as
45 St. Clair Avenue West

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 780 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata, John D. Elvidge,
Speaker City Clerk

(Seal of the City)

AMENDMENT NO. 780 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2024 AS
45 ST. CLAIR AVENUE WEST

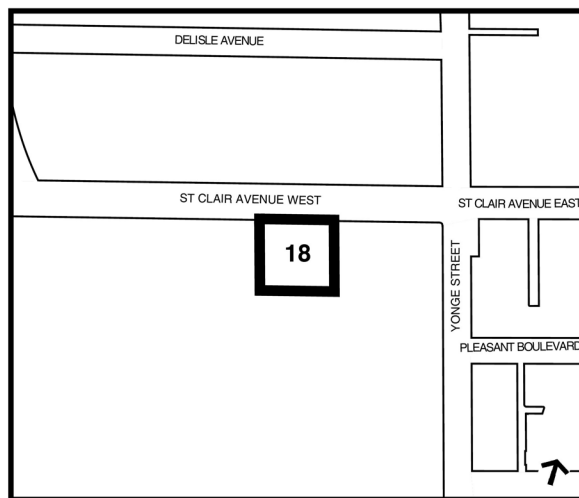
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 6, Yonge-St. Clair Secondary Plan, is amended by adding the following subsection to Section 8, Site and Area Specific Policies:

8.18. 45 St. Clair Avenue West

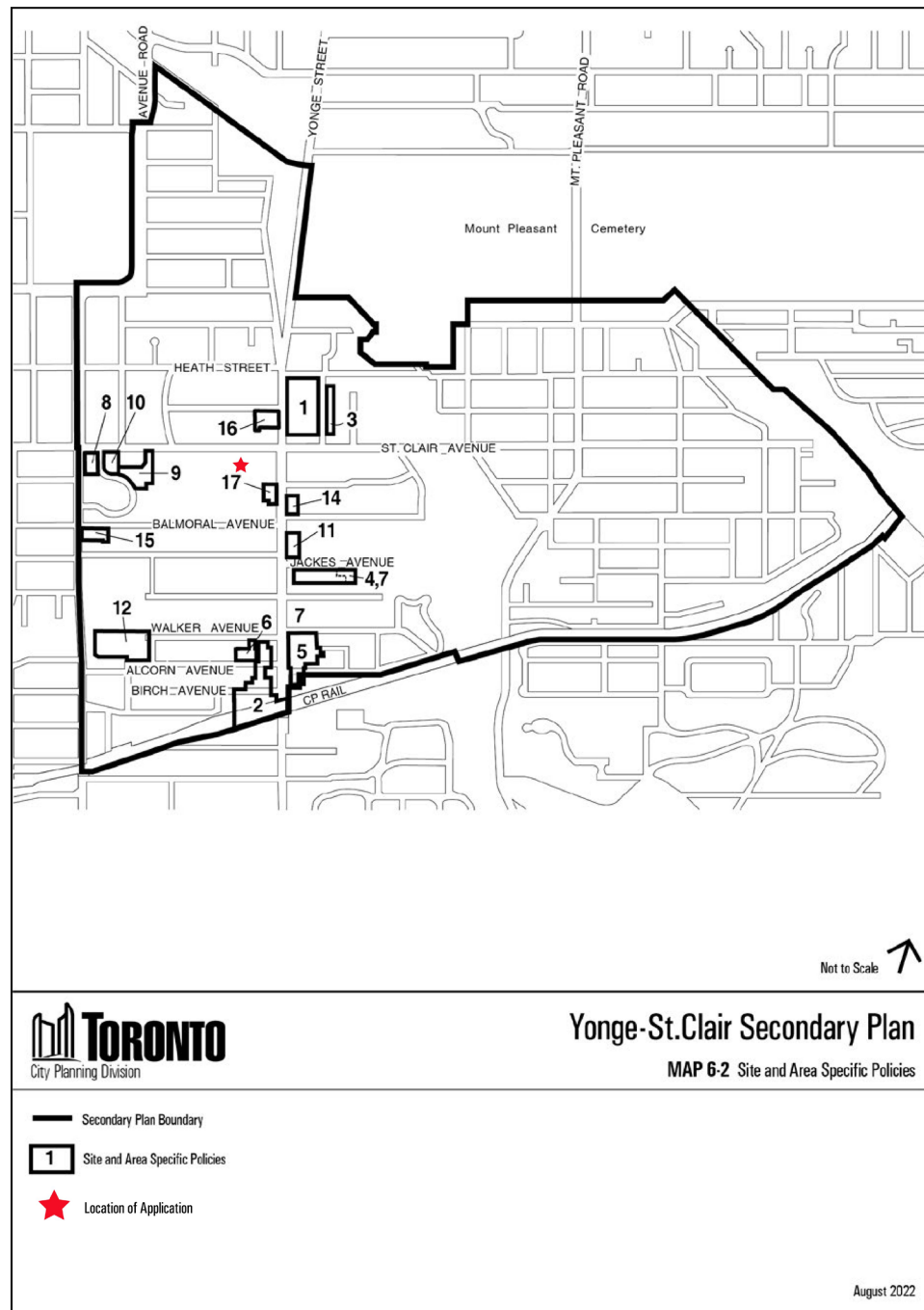
For the lands shown as Area 18 on Map 6-2:

A maximum building height of 161.5 metres (excluding mechanical penthouse) is permitted.



2. Chapter 6, Section 6, Yonge-St. Clair Secondary Plan, Map 6-2 Site and Area Specific Policies, is amended to show the lands known municipally in 2024 as 45 St. Clair Avenue West as Site and Area Specific Policy Area Number 18, as shown on the attached Appendix 1.

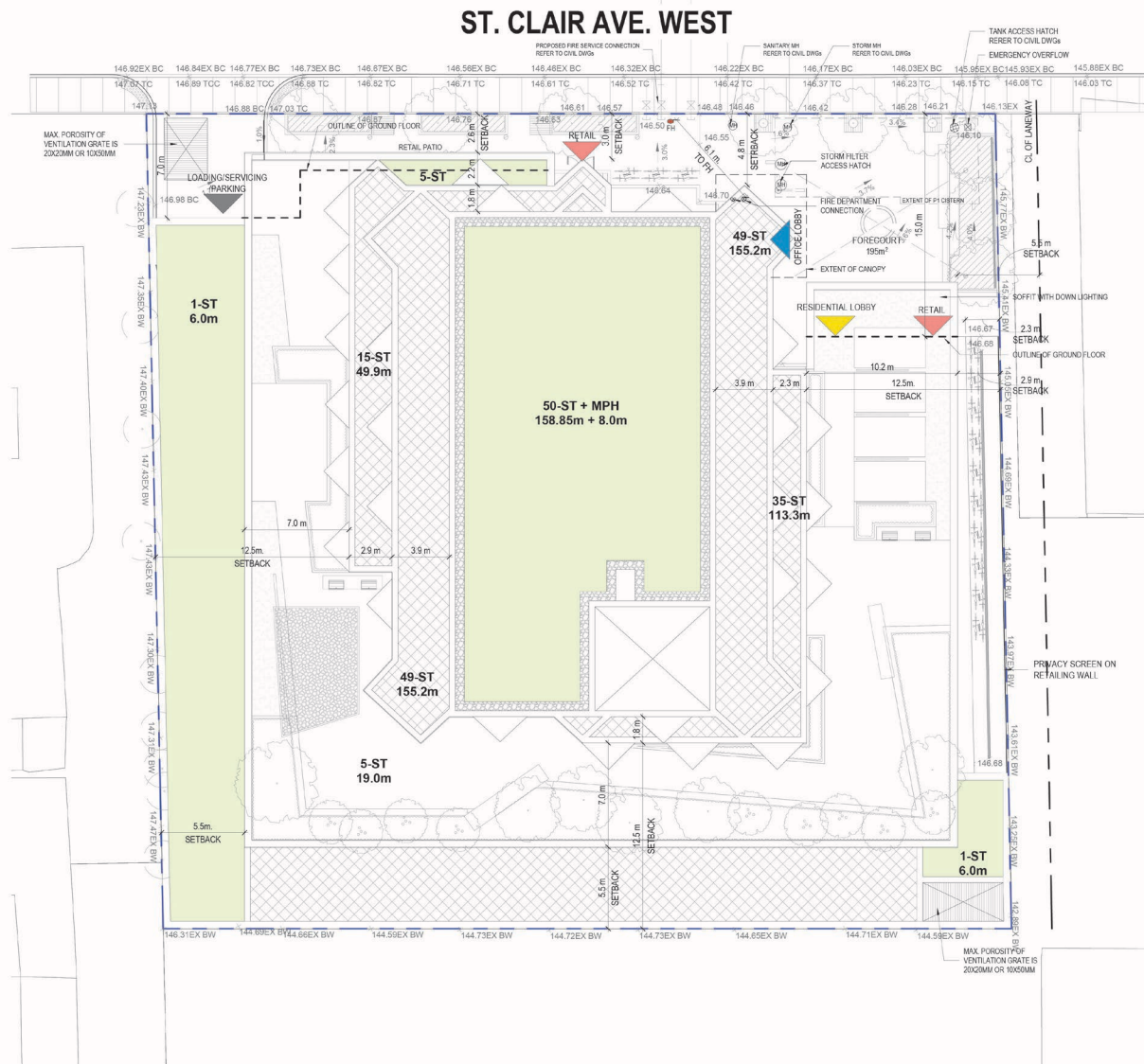
MAP 6-2: SITE AND AREA SPECIFIC POLICIES



Attachment 8: Draft Zoning By-law Amendment

To be available prior to December 4, 2024, Toronto and East York Community Council Meeting.

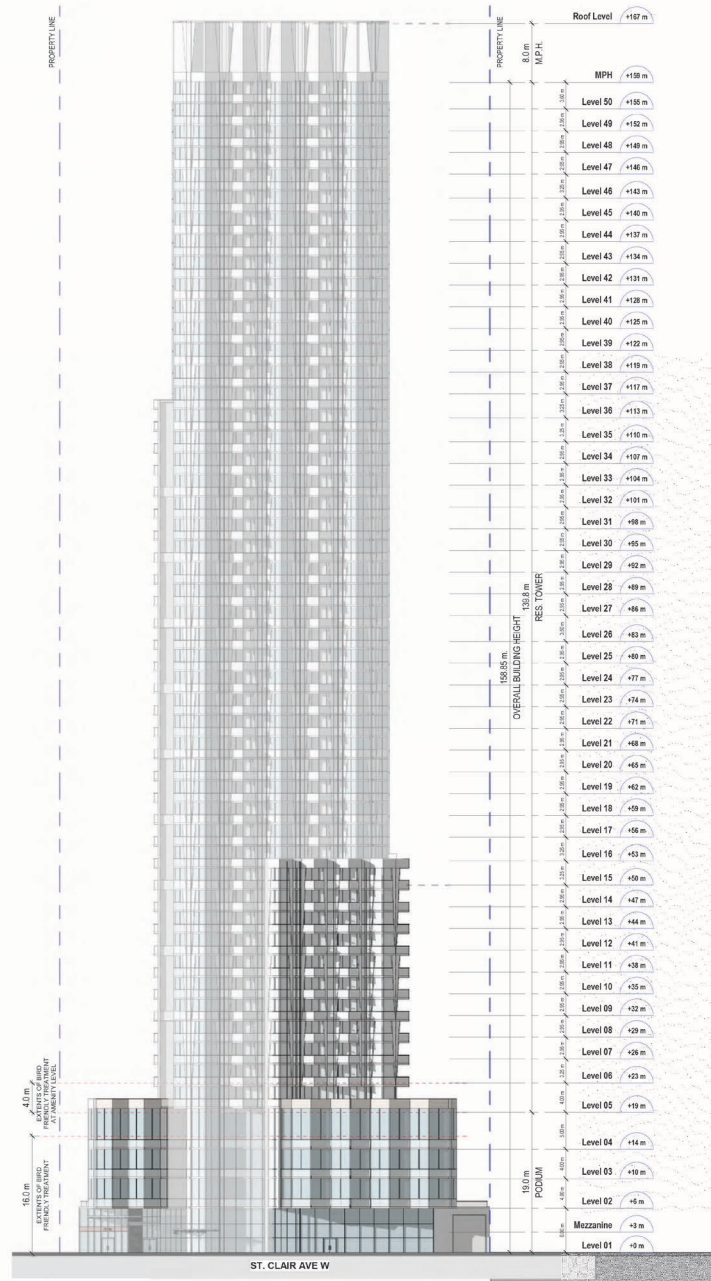
Attachment 9: Site Plan



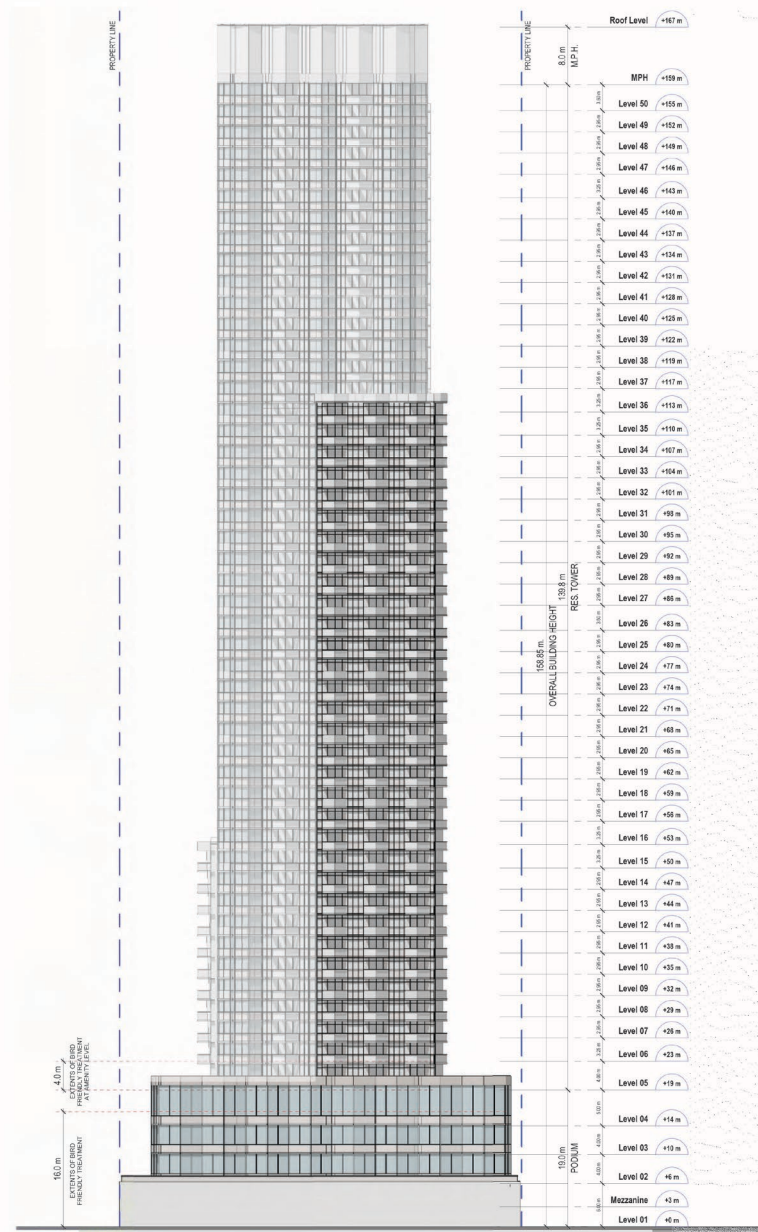
Site Plan



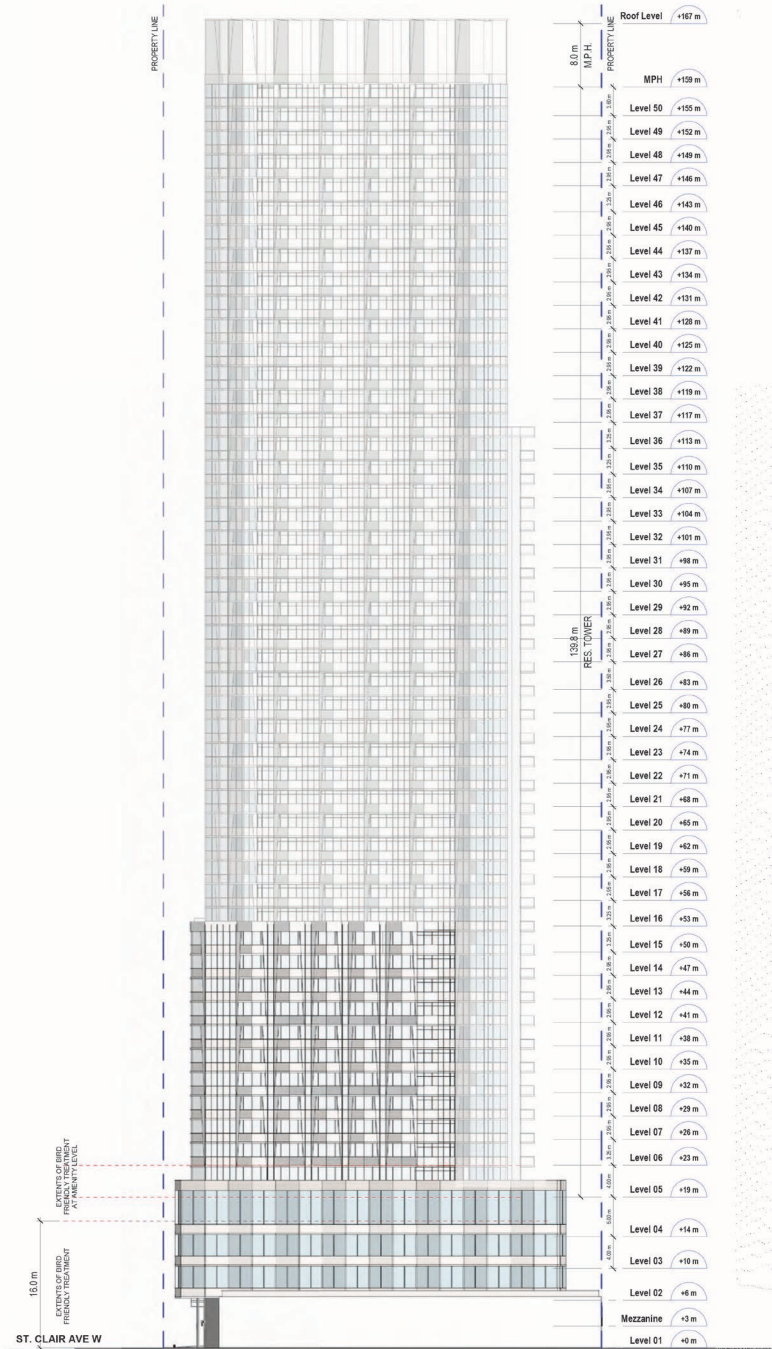
Attachment 10: Elevations



North Elevation



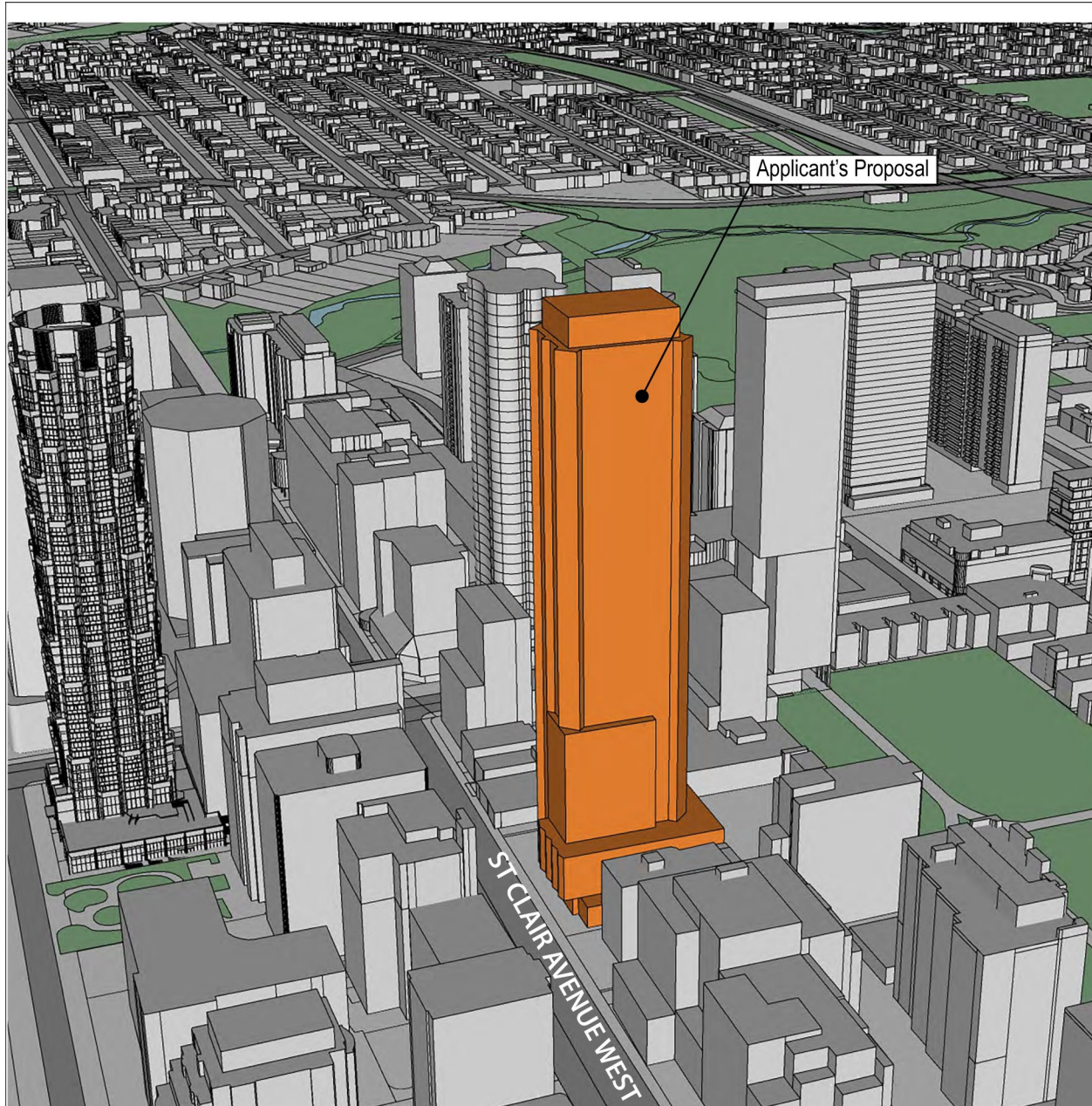
South Elevation



West Elevation



Attachment 11: 3D Model of Proposal in Context



 Applicant's Proposal

View of Applicant's Proposal Looking Southeast



11/02/2022