



Ted Tyndorf, Chief Planner & Executive Director  
City Planning Division

Toronto and East York District  
Toronto City Hall  
100 Queen Street West  
18<sup>th</sup> Floor, East Tower  
Toronto ON M5H 2N2

Gary Wright  
Director, Community Planning

Tel: (416) 392-0427  
Fax: (416) 392-1330  
gwright1@toronto.ca

[www.toronto.ca/planning](http://www.toronto.ca/planning)

VIA FAX @ 416.364.1453 & MAIL

July 4, 2007

Mr. Ronald Kanter  
MacDonald Sager Manis, LLP  
Barristers and Solicitors  
150 York Street, Suite 800  
Toronto, ON  
M5H 3S5

**Subject: Response to Offer of Settlement (1171 and 1171R Queen Street West)**

Dear Mr. Kanter,

Thank you for your offer of settlement dated May 31, 2007. While your offer is not satisfactory in its present form, City Planning is prepared to discuss the potential for settlement.

For further discussions to be fruitful, they would need to address the following key built form and use issues:

Built form (Queen Street Building):

- maintaining the built form approved by the OMB of 8 storeys (25 metres above Queen Street West) plus projection into angular plane for the "tower feature" up to 27 metres as well as for elevator overrun and stair tower, provided these are moved away from the edge of the storey below;
- maintaining the strong 4-storey base building as approved by the OMB, with setbacks (including all projections except for the "tower feature") to meet the 45 degree angular plane from 13 metres above the north property line;
- shifting the archway location to be in line with the centreline of Northcote Avenue; and
- providing a minimum clear archway height of 7.0 metres, with increased ground floor height of 4.0 metres fronting onto Queen Street West.

Built Form (Rear Building):

- maintaining the heights approved by the OMB (20 storeys or 62.5 metres, all in).
- a shift in the rear building location to the west.

Mix of Uses:

- a minimum non-residential density of 0.7 times the lot area across all Baywood sites within the Triangle, excluding parking uses, and providing there is some mechanism to ensure a minimum amount of non-residential uses in key locations; and
- we are willing to consider less than 100% non-residential uses along Queen Street West and both sides of the Mews.

If built form and use issues can be agreed upon, we will discuss other disputed issues with the goal of reaching resolution on all matters, including:

- consolidating services;
- holding provisions and/or timing of roads and parkland;
- exact permitted uses, with restrictions on restaurants, patios and retail store sizes;
- exact details regarding uses permitted at grade;
- exact projection permissions;
- exact setback requirements;
- details relating to the publicly accessible landscaped open space, both in terms of design and in terms of securing public access;
- mix of residential unit types; and
- Section 37.

Please contact me or Lynda Macdonald directly should you wish to explore the possibility of settling the appeals at 1171 and 1171R Queen Street West.

Sincerely,

Gary Wright  
Director  
Community Planning, Toronto & East York District

EH: