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July 4, 2007

David Bronskill
Goodmans LLP
250 Yonge Street, Suite 2400
Toronto, ON M5B 2M6

Re: Response to Offer of Settlement (48 Abell Street)

Dear Mr. Bronskill,

City Planning is prepared to discuss the potential for settlement of appeals relating to 48 Abell Street. For settlement discussions to be fruitful, they would need to be based on the following key built form and use issues:

Built form (West Tower):

- Maintaining the built form approved by the OMB of 18 storeys (53.5 metres above Queen Street West)

Built form (East Tower):

- Maintaining the heights approved by the OMB of 14 storeys (42 metres above Queen Street West)

Built form (Base building along Mews):

- 4 storeys with major stepback(s) (3 metres per storey) up to 6 storeys
- Potential for additional height up to 8 storeys, provided additional deep stepbacks are provided on the north side of the building
- Elevator overrun for roof access above the 8th storey
- Minimum stepbacks on the south side of the building, facing the courtyard, of 2 metres
- Minimal projections into stepbacks for balconies and bay windows

Mix of Uses:

- A minimum non-residential density of 0.7 times the lot area, or
- A minimum non-residential density of 0.5 times the lot area, provided the space is secured as affordable artist live/work units and other affordable arts-related non-residential spaces

If built form and use issues can be agreed upon, we will actively 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 stepback requirements;
- details relating to the mews and the courtyard, both in terms of design and in terms of securing public access;
- mix of residential unit types; and
- Section 37.

The Sudbury Street extension is very important to the appropriate development of the West Queen West Triangle. It is my understanding that Real Estate and Facilities is in on-going negotiations with your client to purchase 1199 Queen Street West, taking into account the site's current zoning and environmental condition.

Please contact me or Lynda Macdonald directly should you wish to explore the possibility of settling the appeals at 48 Abell Street.

Sincerely,

Gary Wright
Director
Community Planning, Toronto & East York District

EH: