

**AIRD & BERLIS LLP**

Barristers and Solicitors

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February 14, 2014

BY EMAIL

Our File No. 115455

**CONFIDENTIAL AND WITHOUT PREJUDICE**

Jessica Braun  
Metro Hall, Legal Services Department  
26th Floor, 55 John Street  
Toronto, ON M5V 3C6

and

Johanna Shapira/Alexandra Sadvari  
Wood Bull LLP  
65 Queen Street West, Suite 1400  
Toronto, ON M5H 2M5

Dear Counsel:

**Re: 200 The Beach (1880 & 1882 Queen Street East and 196 Woodbine Avenue)  
OMB Case No.: PL130268 and PL130233  
Settlement Proposal**

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Further to our recent discussions and email correspondence, the purpose of this letter is to confirm to the City and the Greater Beach Neighbourhood Association (“GBNA”) that our client, Frank Riedel and Queen East Properties Inc., is prepared to resolve its zoning appeal in respect of the above-noted property based on the following general terms:

1. The development proposal will be revised generally in accordance with the attached plans and, in particular the following revisions are noted:
  - (a) a 4.8 metre setback along the entirety of the Queen Street East frontage for the entire height of the proposed building;
  - (b) a 0.9 metre stepback has been incorporated for a significant portion of the Queen Street East elevation above the fourth storey;
  - (c) a cap of 325 m<sup>2</sup> gross floor area on the size of any commercial space (with an exception that such a restriction would not apply to a bank or financial institution); and

- (d) relocation of the car elevator from the original easterly location adjacent to Woodbine Avenue to the western end of the site;
2. The GBNA will confirm in writing that the revised proposal is acceptable to them and that they will consent to the approval by the Ontario Municipal Board of a by-law permitting the revised proposal;
3. The City, GBNA and our client (the “parties”) agree to jointly request that the Ontario Municipal Board adjourn the hearing currently scheduled to commence on February 24th, 2014 for a period of two weeks and to convert that hearing event into a settlement hearing on the rezoning application with such hearing to be held on March 5th and 6th, 2014;
4. Our client agrees to withdraw its appeal of City of Toronto By-law 607-2013 following the approval of the by-law permitting the revised proposal by the Ontario Municipal Board and the expiration of any appeal or review periods of that decision;
5. The parties agree to jointly request the Ontario Municipal Board to insert the following language in its decision on the by-law permitting the revised proposal: “This decision is confined to its facts, and is not intended to act as a precedent for any other development applications made for properties on Queen Street East between Coxwell Avenue and Nursewood Road”;
6. The revised proposal will be the subject of a resubmission for site plan approval which resubmission will be processed expeditiously by the City. The parties agree that the review of the site plan will include exploring opportunities to provide for further articulation of the Queen Street façade including providing greater emphasis on the verticality of the facade;
7. Our client agrees to adjourn, for the time being, the referral of its site plan application. The parties agree to ask the Ontario Municipal Board for a telephone conference call 45 days (or thereabouts) from March 6th, the purpose of which call will be to assess the status of the site plan review by the City and to determine if a hearing date is required to resolve any outstanding matters in respect of the site plan;
8. Our client agrees that the City shall have discretion to circulate and receive comments on any materials submitted in connection with the site plan application to the GBNA for its review and comment;
9. Our client and the City agree that in the event that the site plan matters proceed to before the Ontario Municipal Board, the City and our client will not object to the Ontario Municipal Board granting the GBNA party status for the purposes of that hearing event;

February 14, 2014

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10. The GBNA agrees that in the event that the Ontario Municipal Board approves a site plan for the revised development proposal, the GBNA will not seek to appeal or otherwise review that decision; however, if the City appeals or otherwise seeks to review the decision, it is agreed that neither the City nor our client will object to the GBNA being granted status at any subsequent appeal or review hearing; and
11. The parties agree to not pursue any costs associated with the zoning by-law appeal.

Please be advised that the settlement offer remains open for the duration of the Toronto City Council meeting commencing on February 19, 2014 and will expire at the end of that meeting.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello

EPKC:cgb

Encls.

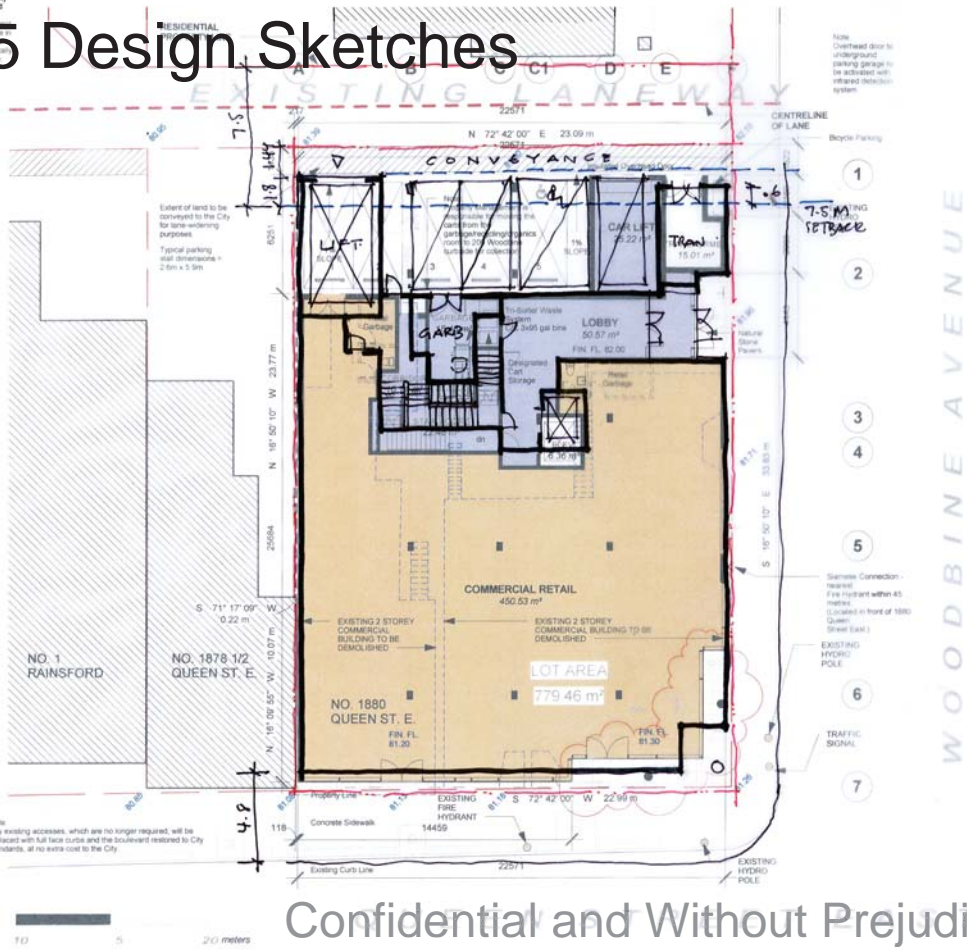
c: Client  
N. Jane Pepino

16953807.2

# 2014.02.05 Design Sketches

**Retail Component Waste**

Retail component of this project is ineligible for city of Toronto collection. It must store, transport and make arrangements for collection of all waste materials.



PLAN OF SURVEY  
LOT 27 & LOT 28  
PLAN 816  
CITY OF TORONTO  
R. G. MCKIBBIN LIMITED  
ONTARIO LAND SURVEYOR  
176 BULLOCK DRIVE, UNIT 10  
MARKHAM, ONTARIO L3P 1W2  
FEBRUARY 10, 1989

NO.	DESCRIPTION	DATE
10	REVISED FOR PLANNING APPROVALS	01/23/13
11	REVISED & REISSUED	01/13/13
12	REVISED & REISSUED	01/04/13
13	REVISED FOR DISCUSSION	12/19/12
14	REVISED & REISSUED	08/16/12
15	REVISED & REISSUED FOR DISCUSSION	06/06/12
16	REVISED & REISSUED	03/22/11
17	REVISED & REISSUED	11/01/11
18	REVISED & REISSUED	11/06/11
19	REVISED & REISSUED	10/20/11
20	REVISED & REISSUED FOR DISCUSSION	10/18/11
21	REVISED & REISSUED FOR DISCUSSION	10/06/11
22	REVISED & REISSUED FOR DISCUSSION	07/21/11
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25	REVISED FOR DISCUSSION	04/29/11



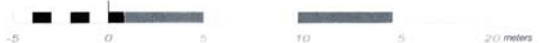
200 the beach

**SITE PLAN / FIRST FLOOR PLAN**

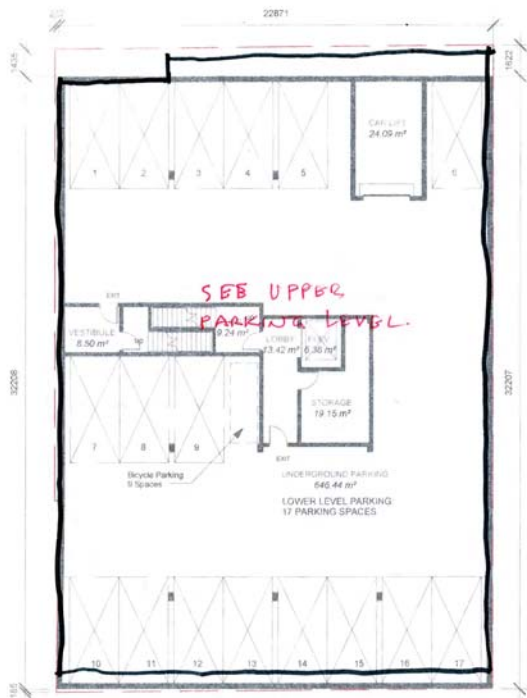
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SCALE	1:100		
PROJECT NO.	80		
DATE			

A101

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# 2014.02.05 Design Sketches

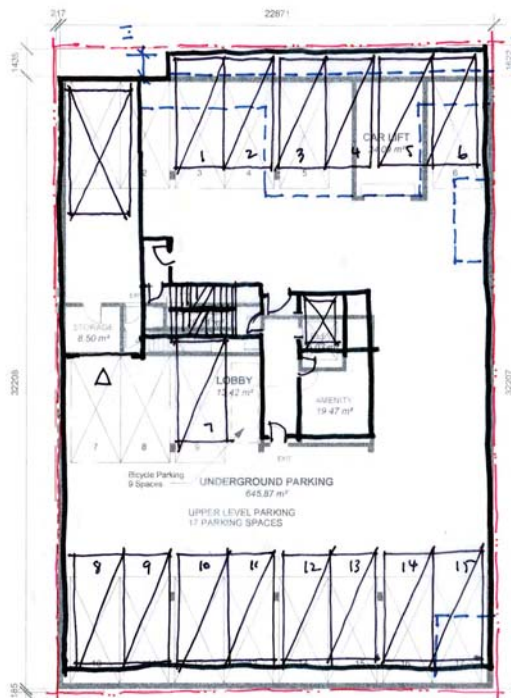


2 Lower Parking Level

A102 1:200



20 meters



1 Upper Parking Level

A102 1:200

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14	REVISED FOR PLANNING APPROVAL	01/2013
15	REVISED & APPROVED	01/15/13
16	REVISED & APPROVED	08/18/12
17	REVISED & APPROVED FOR DISCUSSION	08/06/12
18	REVISED & APPROVED FOR DISCUSSION	01/23/11
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23	REVISED & APPROVED FOR DISCUSSION	07/28/11
24	REVISED & APPROVED FOR DISCUSSION	07/28/11
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26	REVISED & APPROVED FOR DISCUSSION	06/23/11
27	REVISED FOR DISCUSSION	06/23/11



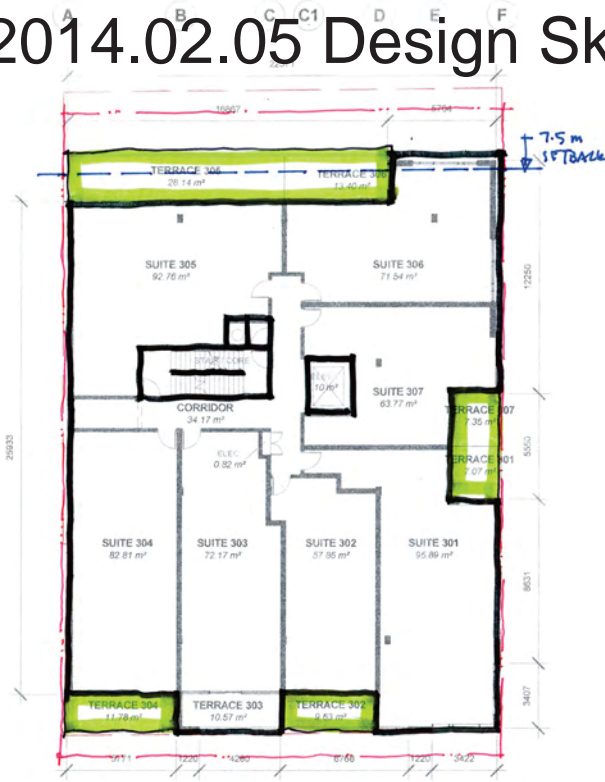
200 the beach

PARKING LEVELS

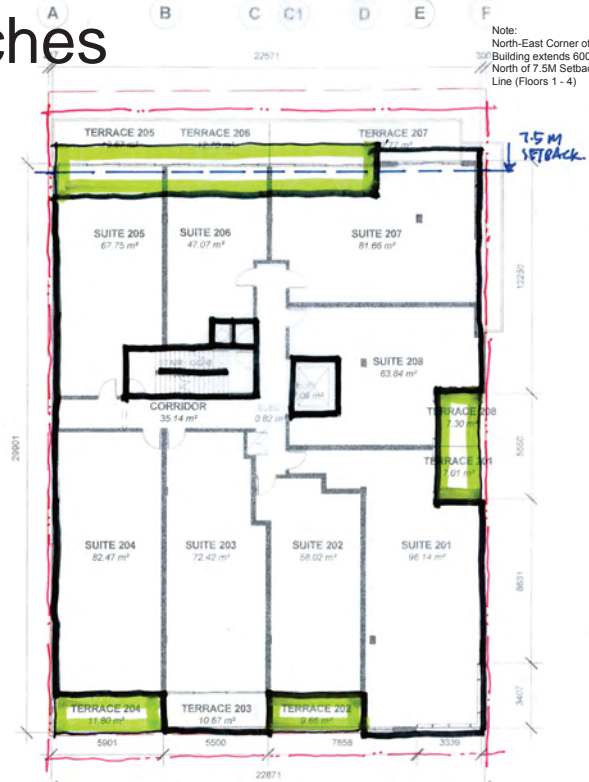
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2	2012.02.05	
3	2012.02.05	
4	2012.02.05	
5	2012.02.05	
6	2012.02.05	
7	2012.02.05	

A102

# 2014.02.05 Design Sketches



2 Third Floor Level  
A103 1:200



1 Second Floor Level  
A103 1:200

Note:  
North-East Corner of Building extends 600mm North of 7.5M Setback Line (Floors 1 - 4)



NO.	DESCRIPTION	DATE
16	REVISED FOR PLANNING APPROVALS	01/23/13
15	REVISED & REISSUED	01/11/13
14	REVISED FOR DISCUSSION	12/15/12
13	REVISED & REISSUED	08/18/12
12	REVISED & REISSUED	08/18/12
11	REVISED & REISSUED FOR DISCUSSION	06/05/12
10	REVISED ROOM NO.'S & REISSUED	01/23/11
09	REVISED & REISSUED	11/09/11
08	REVISED & REISSUED	11/09/11
07	REVISED & REISSUED	10/09/11
06	REVISED & REISSUED FOR DISCUSSION	10/19/11
05	REVISED & REISSUED FOR DISCUSSION	10/09/11
04	REVISED & REISSUED FOR DISCUSSION	07/09/11
03	REVISED & REISSUED FOR DISCUSSION	07/09/11
02	REVISED & REISSUED FOR DISCUSSION	06/29/11
01	REVISED FOR DISCUSSION	04/29/11



200 the beach

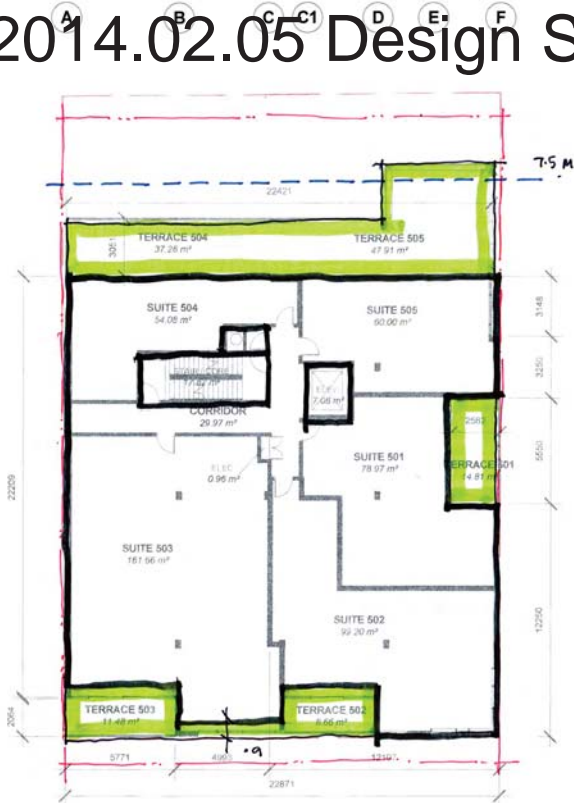
SECOND FLOOR PLAN, THIRD FLOOR PLAN

SCALE	PROJECT NUMBER
1:200	201126

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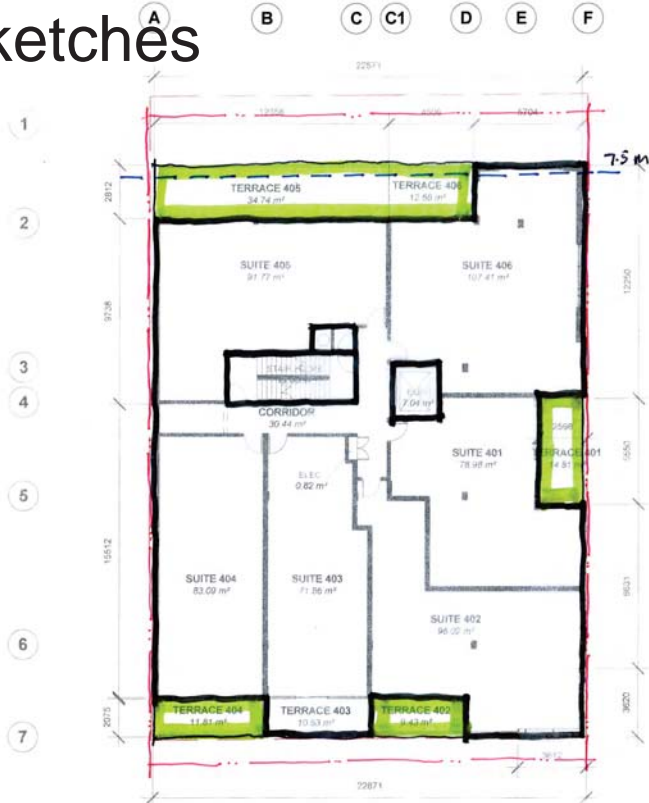
A103

# 2014.02.05 Design Sketches



2 Fifth Floor Level

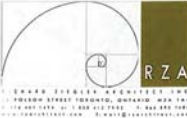
A104 1:200



1 Fourth Floor Level

A104 1:200

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ISSUED FOR DISCUSSION	01/23/13
REVISED & REISSUED	01/11/13
ISSUED FOR DISCUSSION	12/15/12
REVISED & REISSUED	09/18/12
REVISED & REISSUED	09/18/12
REVISED & REISSUED FOR DISCUSSION	04/23/11
REVISED ROOM NOS. & REISSUED	04/23/11
REVISED & REISSUED	11/19/11
REVISED & REISSUED	11/09/11
REVISED & REISSUED FOR DISCUSSION	10/29/11
REVISED & REISSUED FOR DISCUSSION	10/26/11
REVISED & REISSUED FOR DISCUSSION	07/28/11
REVISED & REISSUED FOR DISCUSSION	07/07/11
REVISED & REISSUED FOR DISCUSSION	06/21/11
ISSUED FOR DISCUSSION	04/29/11



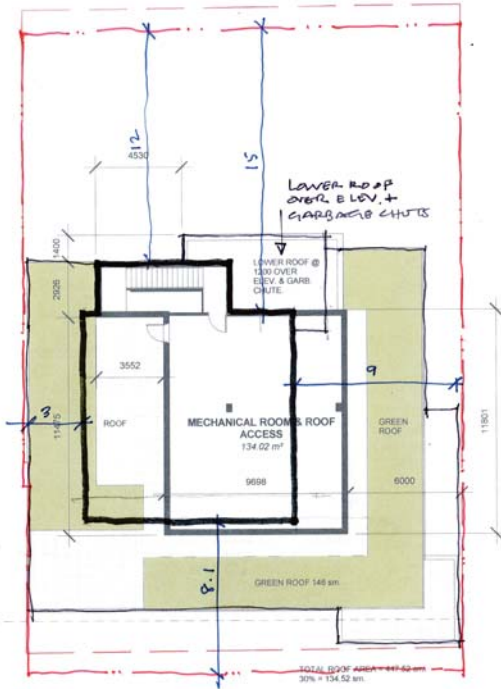
200 the beach

FOURTH FLOOR PLAN, FIFTH FLOOR PLAN

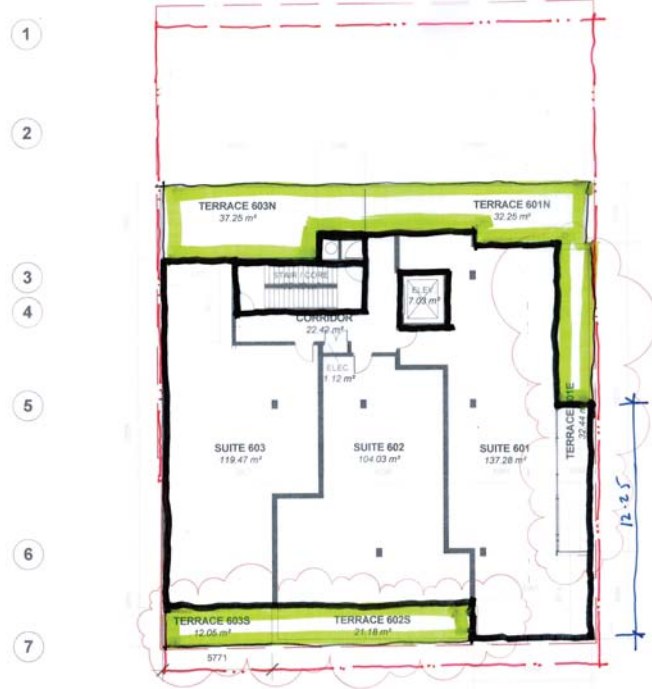
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SCALE	1:200	201126
DESIGNED BY	RE	
CHECKED BY	RE	
DATE		REVISION

A104

# 2014.02.05 Design Sketches



2 Roof Level  
A105 1:200



1 Sixth Floor Level  
A105 1:200

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ONTARIO ASSOCIATION OF ARCHITECTS

RICHARDE ZIEGLER  
LICENCE # 4452

17	REVISED & REISSUED FOR DISCUSSION	01/20/11
16	REVISED & REISSUED FOR DISCUSSION	01/13/11
15	REVISED & REISSUED FOR DISCUSSION	01/06/11
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13	REVISED & REISSUED FOR DISCUSSION	08/18/10
12	REVISED & REISSUED FOR DISCUSSION	06/09/10
11	REVISED & REISSUED FOR DISCUSSION	05/28/11
10	REVISED & REISSUED FOR DISCUSSION	11/19/11
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07	REVISED & REISSUED FOR DISCUSSION	10/18/11
06	REVISED & REISSUED FOR DISCUSSION	10/09/11
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04	REVISED & REISSUED FOR DISCUSSION	07/28/11
03	REVISED & REISSUED FOR DISCUSSION	06/21/11
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01	REVISED & REISSUED FOR DISCUSSION	06/21/11



200 the beach

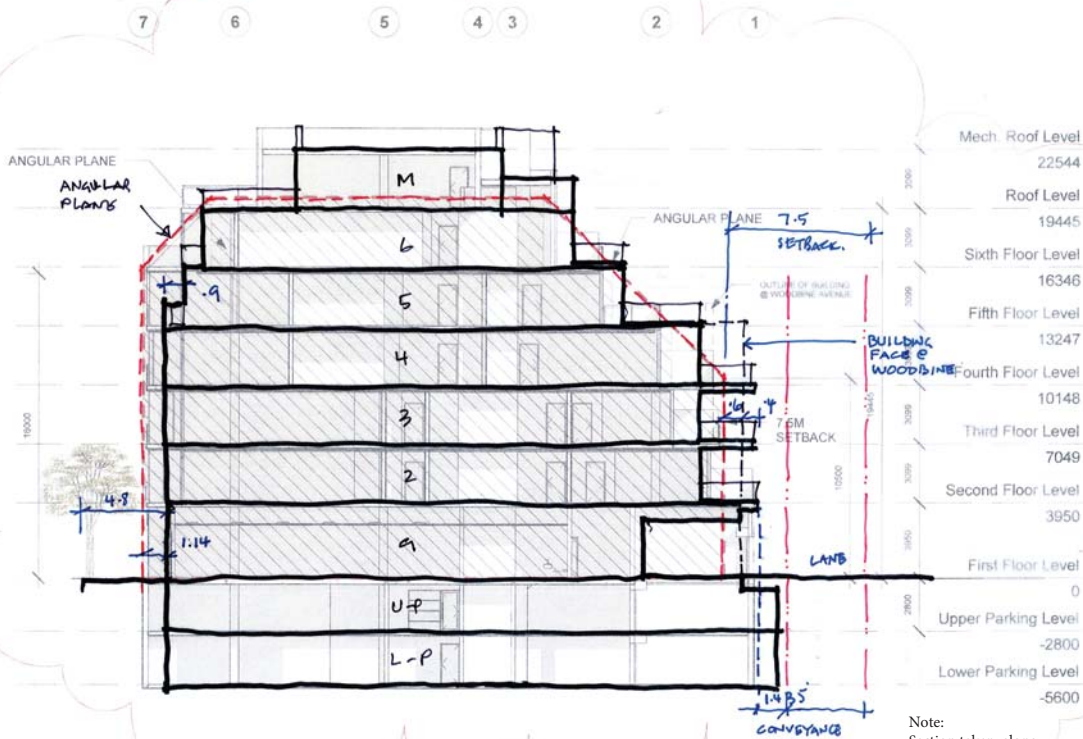
SIXTH FLOOR PLAN,  
MECHANICAL PENTHOUSE

SCALE	1:200	PROJECT NUMBER
DATE	2011.02.05	2011.26
PROJECT	NO.	
SHEET	NO.	

A105



# 2014.02.05 Design Sketches



16	REVISED FOR PLANNING APPROVALS	01/23/13
15	REVISED & REISSUED	01/11/13
14	REVISED & REISSUED	01/04/13
13	ISSUED FOR DISCUSSION	12/15/12
12	REVISED & REISSUED	09/18/12
11	REVISED & REISSUED FOR DISCUSSION	08/06/12
10	REVISED ROOM NOS. & REISSUED	01/23/11
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06	REVISED & REISSUED FOR DISCUSSION	10/18/11
05	REVISED & REISSUED FOR DISCUSSION	10/06/11
04	REVISED & REISSUED FOR DISCUSSION	07/28/11
03	REVISED & REISSUED FOR DISCUSSION	07/07/11
02	REVISED & REISSUED FOR DISCUSSION	06/21/11
01	ISSUED FOR DISCUSSION	06/20/11



200 the beach

ANGULAR PLANE SECTION

SCALE	1:200	PROJECT NUMBER	
DATE	10/20/13 RZ/AM	DATE	2011.26
DESIGNER	RZ	PROJECT	80
DATE		REVISION	

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A201

# 2014.02.05 Design Sketches



1 WOODBINE ELEVATION  
A301



Mech. Roof Level	22544
Roof Level	19445
Sixth Floor Level	16346
Fifth Floor Level	13247
Fourth Floor Level	10148
Third Floor Level	7049
Second Floor Level	3950
First Floor Level	0
Upper Parking Level	-2800
Lower Parking Level	-5600

Note:  
Material Colors to be  
Determined



12	REVISED FOR PLANNING APPROVALS	01/29/13
11	REVISED & REISSUED	01/11/13
10	REVISED & REISSUED	01/04/13
09	REVISED & REISSUED	09/18/12
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03	REVISED & REISSUED FOR DISCUSSION	10/18/11
02	REVISED & REISSUED FOR DISCUSSION	10/08/11
01	ISSUED FOR DISCUSSION	07/26/11



200 the beach

WOODBINE AVE. ELEVATION

SCALE	1:200	PROJECT NUMBER
DATE	1/23/2014 (RZ)	201126
DRAWN BY	RZ	
CHECKED BY	RZ	
SHEET		REVISION

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A301

# 2014.02.05 Design Sketches



- Mech. Roof Level
- 22544
- Roof Level
- 19445
- Sixth Floor Level
- 16346
- Fifth Floor Level
- 13247
- Fourth Floor Level
- 10148
- Third Floor Level
- 7049
- Second Floor Level
- 3950
- First Floor Level
- 0

Note:  
Material colors to  
be Determined



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12	REVISED FOR PLANNING APPROVALS	01/23/13
11	REVISED & REISSUED	01/11/13
10	REVISED & REISSUED	01/04/13
09	REVISED & REISSUED	08/18/12
08	REVISED & REISSUED FOR DISCUSSION	06/06/12
07	REVISED ROOM NOS. & REISSUED	01/23/11
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05	REVISED & REISSUED	11/08/11
04	REVISED & REISSUED	10/20/11
03	REVISED & REISSUED FOR DISCUSSION	10/18/11
02	REVISED & REISSUED FOR DISCUSSION	10/08/11
01	ISSUED FOR DISCUSSION	07/28/11



1880-1882 QUEEN STREET  
EAST and 196 WOODBINE  
AVE.  
TORONTO, ONTARIO

QUEEN ST. ELEVATION

SCALE	1:200	PROJECT NUMBER
DATE	2009.03.05 PM	201126
DRAWN	RZ	
CHECKED	RZ	
SHEET		REVISION

A302