

Public Attachment 1



Reply Attention of Mary Flynn-Guglietti
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Our File No. 264054
Date December 9, 2019

**WITH PREJUDICE
DELIVERED BY E-MAIL**

Council of the City of Toronto
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Mr. Alexander Suriano, Legal Counsel

Dear Alex:

**Re: Settlement Offer
Application to amend Zoning By-law No. 438-86
301-319 King Street West
PL171514**

After a great deal of effort and co-operation with the City staff over many years we are pleased to put forward for Council's consideration this settlement offer in respect of the application for zoning by-law amendment by 2477879 Ontario Inc., 1579661 Ontario Inc., Clarierville Holdings Limited and Frances Danyliw in respect of the lands municipally known as 301-319 King Street West in the City of Toronto (the "**Property**").

Further to our settlement discussions, we enclose with this letter a copy of the plans prepared by Scott Shields Architects Inc. issued for settlement on October 28, 2019, which plans form the basis of our settlement offer. In particular, you will note the following amendments which have been made to the proposed development in order to address the City's comments:

- The tower's height remains 157 metres, with a total of 50 storeys including 3 storeys of non-residential uses;
- Average setback to the Property's west lot line has been increased from 10.0 metres to 11.5 metres and the original balconies protruding into the building's western setback have been replaced with Juliet balconies protruding only 0.5 metres into the western setback;

- Average setback to the Property's east lot line has been maintained at 10.0 metres and the balconies originally protruding into the building's eastern setback have been removed;
- As requested by Heritage Preservation Services, the infill properties have been adjusted to line up with the heritage buildings at the property line abutting King Street with only a minor setback at 305 King Street West (currently vacant) in order to accommodate City manhole accesses in consultation with Heritage Preservation Services;
- The third storey above 309 King Street West (location of Gabby's) has been set back 1.5 metres to complement its original two storey proportions in the row of three storey heritage buildings;
- As suggested by Heritage Preservation Services to provide a streamlined integration of the tower with the heritage buildings, the "neck" of the tower, beginning at the roof elevation of the row of three storey heritage buildings, has been revised to be angled to eliminate the soffit of the tower. The "neck" of the tower is accordingly setback 6.1 metres from the north (King Street) property line, 11.9 metres from the east property line and 13.4 metres from the west property line at the third storey roof level of the heritage buildings and then angles out to these north, east and west sides to the full tower floor plate at the eight storey;
- Total residential gross floor area has been decreased from 28,992 m² (312,148 ft²) to 28,440 m² (306,128 ft²);
- Total commercial gross floor area has been increased from 3,100 m² (33,368 ft²) to 3,252 m² (35,009 ft²); and
- Total amenity area (indoor and outdoor) has been increased from 1,743 m² (18,766 ft²) to 1,798 m² (19,357 ft²).

As evidenced by these substantive changes and further detailed in our submissions to the Toronto Preservation Board and the Toronto and East York Community Council ("TEYCC"), our client's Architects, Scott Shields Architects Inc., together with Heritage Architect, Philip Goldsmith have worked tirelessly with City staff on revisions to the rezoning application, the proposed plans and a Conservation Plan that are satisfactory to staff of Heritage Preservations Services.

A copy of our letter to the TEYCC has been attached for ease of reference. In particular, we note that the parties have agreed to have 305 (309, 311) King Street West (the location of Gabby's) designated under Part IV, Section 29 of the *Ontario Heritage Act*. Further, much of the character of the block from a pedestrian experience will be preserved due to the retention of the historic buildings along with the new three storey base podium elements and the 6.1 metre step back to the upper podium and the tower starting at the 8th floor. Over 6,500 square feet of space is available for restaurant uses on the ground floor of the development.

Finally, we are pleased to offer payment of a 3.2 million dollar cash contribution to the City of Toronto pursuant to section 37 of the *Planning Act*, which shall be payable at the time of issuance of the building permit.

Our client and their consultants have worked very hard with City staff to reach the settlement detailed above and we respectfully request approval of this settlement by City Council. In addition to Council's approval, this settlement offer is conditional upon approval of the settlement by the Local Planning Appeal Tribunal.

Yours very truly,



Per:

Mary Flynn-Guglietti

/af

Encls.

Cc: 2477879 Ontario Inc.
1579661 Ontario Inc.
Claireville Holdings Limited
Frances Danyliw
Scott Shields Architects Inc.
Philip Goldsmith Architect