



Decision Letter

Toronto Preservation Board

Meeting No.	38	Contact	Ellen Devlin, Committee Administrator
Meeting Date	Tuesday, September 20, 2022	Phone	416-392-7033
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB38.8	ACTION	Adopted		Ward: 13
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544 and 550 Queen Street East - Request for Directions Report

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

Board Decision

The Toronto Preservation Board recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to the report (September 7, 2022) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1 and Confidential Appendix "A" to the report (September 7, 2022) from the City Solicitor, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (September 7, 2022) from the City Solicitor remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

Decision Advice and Other Information

Georgia Kuich, Planner, Heritage Preservation, Urban Design, City Planning provided a verbal presentation on 544 and 550 Queen Street East - Request for Directions Report.

The Toronto Preservation Board recessed its public session to meet in closed session to consider this item as it relates to the receiving of advice that is subject to solicitor-client privilege.

Origin

(September 7, 2022) Report from the City Solicitor

Summary

At its meeting on September 20, 2022, the Toronto Preservation Board considered Item [PB38.8](#) and made recommendations to City Council.

Summary from the report (September 7, 2022) from the Senior Manager, Heritage Planning, Urban Design, City Planning:

The owner of the property municipally known as 28 River Street and 544 and 550 Queen Street East applied for amendments to former City of Toronto Zoning By-law 438-86 solely in respect of the property at 28 River Street in order to facilitate a 15-storey mixed-use building containing 162 dwelling units and 458 square metres of ground floor commercial space with a total gross floor area of 11,752 square metres (the "Original Application").

On April 26, 27 and 28, 2017, City Council adopted the recommendations of Community Planning staff to refuse the Original Application. The Applicant appealed City Council's decision to the Ontario Land Tribunal (the "OLT"). The appeal was assigned Case No. PL170622 and is now filed as OLT-22-03289.

On June 8, 2022, the Applicant submitted a with prejudice settlement offer to the City, set out in Appendix "A" to this Report (the "Revised Proposal"). The Revised Proposal expands the proposed development site to include the property at 544 and 550 Queen Street East (the "Site"). It also requests placing a holding provision in the zoning by-law that requires the Site to have been designated pursuant to Section 33 of the Ontario Heritage Act ("OHA"). The owner must also apply for alterations to the heritage property and to enter into a Heritage Easement Agreement as a condition for lifting the holding provision on the zoning for the lands. Council accepted the offer at its meeting dated June 15 and 16, 2022.

On August 9, 2022, the OLT issued a decision and order approving the Revised Proposal's zoning by-law amendment portions subject to issuance of a final order. The Tribunal issued an order effective August 11, 2022 amending the zoning by-law in accordance with the Revised Proposal.

The purpose of this report is to request further instructions regarding related to the heritage aspects of the development.

Background Information

(September 7, 2022) Report from the City Solicitor - 544 and 550 Queen Street East - Request for Directions Report

<https://www.toronto.ca/legdocs/mmis/2022/pb/bgrd/backgroundfile-229425.pdf>

Confidential Attachment 1 - Confidential Recommendations and Confidential Information

Confidential Appendix A - Confidential Information

