

Toronto Preservation Board

Meeting No.	8	Contact	Matthew Green, Committee Administrator
Meeting Date	Thursday, July 13, 2023	Phone	416-392-4666
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Sandra Shaul

PB8.10	ACTION	Adopted		Ward: 13
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229 Queen Street East and 120 - 122 Sherbourne Street - Request for Directions Regarding Ontario Land Tribunal Hearing

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 (June 28, 2023) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1, Confidential Appendix "A", Confidential Appendix "B", and Confidential Appendix "C", to the report (June 28, 2023) 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 (June 28, 2023) from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

Origin

(June 28, 2023) Report from the City Solicitor

Summary

At its meeting on July 13, 2023 the Toronto Preservation Board considered Item [PB8.10](#) and made recommendations to City Council.

Summary from the report (June 28, 2023) from the City Solicitor:

On November 16, 2021, Zoning By-law Amendment and Site Plan Control applications were submitted proposing a 31-storey mixed-use building with ground floor retail uses and 340 residential dwelling units at 225 - 229 Queen Street East and 120 - 134 Sherbourne Street. Alterations were proposed to the built heritage resources on the site.

On July 14, 2022, the applicant appealed the Zoning By-law Amendment and Site Plan Control applications to the Ontario Land Tribunal, citing City Council's failure to make a decision on the application within the prescribed timelines of the Planning Act.

City Council stated its intention to designate the properties at 229 Queen Street East and 120 - 122 Sherbourne Street under Part IV of the Ontario Heritage Act at its meeting of August 15, 2022.

On February 7 and 8, 2023, City Council directed the City Solicitor to oppose the applications at the Ontario Land Tribunal.

On May 11, 2023, the applicant filed a revised Zoning By-law Amendment application proposing a 45-storey mixed-use building with ground floor retail uses, and 516 residential dwelling units.

The focus of this Report is on the requested alterations pursuant to Section 33 of the Ontario Heritage Act.

The City Solicitor requires further directions for the upcoming Ontario Land Tribunal hearing scheduled to commence on November 14, 2023. Given imminent procedural filing dates set out in the Procedural Order, and other deadlines addressed in Confidential Attachment 1, this matter is urgent and cannot be deferred.

Background Information

(June 28, 2023) Report from the City Solicitor on 229 Queen Street East and 120 - 122 Sherbourne Street - Request for Directions Regarding Ontario Land Tribunal Hearing (<https://www.toronto.ca/legdocs/mmis/2023/pb/bgrrd/backgroundfile-238075.pdf>)

Confidential Attachment 1

Confidential Appendix A

Confidential Appendix B

Confidential Appendix C