



Decision Letter

Toronto Preservation Board

Meeting No.	19	Contact	Tanya Spinello, Committee Administrator
Meeting Date	Wednesday, June 5, 2024	Phone	416-397-4592
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Julia Rady

PB19.3	ACTION	Adopted		Ward: 10
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778 King Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act

Confidential Attachment - contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding litigation or potential litigation.

Board Decision

The Toronto Preservation Board recommends that:

1. City Council adopt the confidential instructions to staff contained in Confidential Attachment 1 to the report (May 14, 2024) from the City Solicitor.
2. City Council authorize the public release of the confidential instructions to staff contained in Confidential Attachment 1 and Confidential Appendix "A" to the report (May 14, 2024) from the City Solicitor, if adopted by City Council, at the discretion of the City Solicitor.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (May 14, 2024) from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it is about litigation before the Ontario Land Tribunal and contains advice or communications that are subject to solicitor-client privilege.

Origin

(May 14, 2024) Report from the City Solicitor

Summary

At its meeting on June 5, 2024 the Toronto Preservation Board considered Item [PB19.3](#) and made recommendations to City Council.

Summary from the report (May 14, 2024) from the City Solicitor:

The owner appealed its Zoning By-law Amendment application for 778-788 King Street West to the Ontario Land Tribunal ("OLT") in the fall of 2023 due to Council's failure to make a decision on the application within the time prescribed by the Planning Act.

The original Zoning By-law Amendment application proposed an 18 storey (63.3 metre including mechanical penthouse) mixed use building, with approximately 373 residential dwelling units and retail uses at grade.

The focus of this report is the owner's application under Section 33 and 34(1)1 of the Ontario Heritage Act which requests City Council's consent to alterations and demolition of a heritage attribute to the property at 778 King Street West. Council requires the advice of the Toronto Preservation Board in respect of matters which may impact a designated heritage property.

Background Information

(May 14, 2024) Report from the City Solicitor on 778 King Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-245832.pdf>)

Attachment 1 - Location Map

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-245833.pdf>)

Attachment 2 - Photographs of Existing Building

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-245834.pdf>)

Confidential Attachment 1

Confidential Appendix A

Staff presentation on 778 King Street West - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2024/pb/bgrd/backgroundfile-246407.pdf>)

Confidential Staff Presentation

Speakers

Emily Collins, ERA

Motions

Motion to Meet in Closed Session moved by Julia Rady (Carried)

That the Toronto Preservation Board meet in closed session to receive advice that is subject to solicitor-client privilege.

Motion to Reconvene in Public Session moved by Julia Rady (Carried)

Motion to Adopt Item moved by Julia Rady (Carried)