



Decision Letter

Toronto Preservation Board

Meeting No.	22	Contact	Tanya Spinello, Committee Administrator
Meeting Date	Friday, September 20, 2024	Phone	416-397-4592
Start Time	9:30 AM	E-mail	hertpb@toronto.ca
Location	Video Conference	Chair	Julia Rady

PB22.6	ACTION	Amended		Ward: 13
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33 and 37 Maitland Street - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Board Decision

The Toronto Preservation Board recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 and Confidential Appendix "A" to this report from the City Solicitor, at the discretion of the City Solicitor.
3. City Council direct that Confidential Attachment 1 to this report (September 5, 2024) 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

The Toronto Preservation Board:

1. Requested the Senior Manager, Heritage Planning, Urban Design, City Planning to consider the following when reviewing the Conservation Plan:

a. the additional conditions set out in the Confidential Attachment attached to motion 1 by Adam Wynne.

Neil MacKay, Heritage Planner, Heritage Planning, Urban Design, City Planning gave a presentation on 33 and 37 Maitland Street - Alterations and Demolition to Heritage Attributes at a Designated Property under Sections 33 and 34(1)1 of the Ontario Heritage Act.

Origin

(September 5, 2024) Report from the City Solicitor

Summary

At its meeting on September 20, 2024 the Toronto Preservation Board considered Item [PB22.6](#) and made recommendations to City Council.

Summary from the report (September 5, 2024) from the City Solicitor:

On September 14, 2022, Official Plan Amendment and Zoning By-law Amendment applications were submitted with respect to 33 Maitland Street and 37 Maitland Street to permit a new mixed-use building. The applications proposed to demolish 33 Maitland Street and retain a portion of 37 Maitland Street.

On March 31, 2023, the applications were appealed to the Ontario Land Tribunal (OLT) based on City Council's failure to make a decision within legislated timelines.

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 above noted properties. Council requires the advice of the Toronto Preservation Board in respect of matters which may impact a designated heritage property.

The City Solicitor requires further direction with respect to upcoming Ontario Land Tribunal (OLT) proceedings and this matter can not be deferred.

Background Information

(September 5, 2024) Report from the City Solicitor on 33 Maitland Street & 37 Maitland Street - 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-248500.pdf>)

Confidential Attachment 1 - Confidential Information

Confidential Appendix A - Confidential Information

Staff Presentation on 33 and 37 Maitland Street - 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-248900.pdf>)

Confidential Attachment to Motion