



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

1117 Queen Street West - Official Plan Amendment and Zoning By-law Amendment - Ontario Land Tribunal Hearing - Request for Directions

Date: April 8, 2025

To: City Council

From: City Solicitor

Wards: Ward 9 - Davenport

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

The purpose of this report is to request instructions in respect of the proceedings before the Ontario Land Tribunal ("OLT"). The applicant appealed the proposed Official Plan Amendment and Zoning By-law Amendment Applications for 1117 Queen Street West to the OLT as a result of Council's refusal of the applications within the time prescribed by the *Planning Act*.

The property municipally known as 1117 Queen Street West is designated under Part IV, Section 29 of the *Ontario Heritage Act*.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff contained in Confidential Attachment 1 to this report from the City Solicitor.
2. City Council authorize the public release of the confidential instructions to staff contained in Confidential Attachment 1 to this report from the City Solicitor, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this report 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.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the Confidential Recommendations beyond what has already been approved in the current year's budget.

DECISION HISTORY

Development Application

On October 9, 2024, City Council refused the Official Plan Amendment and Zoning By-law Amendment Applications for 1117 Queen Street West. City Council's decision may be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.CC14.13>

Designation of the Property

The property was listed on the City of Toronto's Inventory of Heritage Properties (now the Heritage Register) on June 20, 1973.

City Council passed City of Toronto By-law 961-2023 designating the property under Part IV, Section 29 of the *Ontario Heritage Act* on October 12, 2023. By-law 961-2023 is in effect. The designation by-law can be found here:

<https://www.toronto.ca/legdocs/bylaws/2023/law0961.pdf>

On December 17, 2024, City Council adopted the designation of the West Queen Street West Heritage Conservation District Plan under Part V of the *Ontario Heritage Act*.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.TE18.10>

Related Heritage Permit Applications

On May 22, 2024, City Council refused the Alterations to and Demolition of Heritage Attributes of a Designated Property at 1117 Queen Street West.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.CC18.18>

On April 1, 2025, the Toronto Preservation Board considered a report from the City Solicitor regarding Alterations to a Designated Property and Demolition of Heritage Attributes of a Building on a Designated Property under Sections 33 and 34(1)1 of the *Ontario Heritage Act* pertaining to a revised conservation strategy generally described in the Public Report. The advice of Toronto Preservation Board can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.PB30.8>

Appeal to Ontario Land Tribunal

On February 26, 2024, the applicant filed appeals to the OLT due to Council's refusal of the requested Official Plan Amendments and Zoning By-law Amendments. The OLT conducted one Case Management Conference on the appeals and scheduled a hearing commencing on July 7, 2025. The OLT granted participant status to the West Queen 1117 Queen Street West - Official Plan Amendment and Zoning By-law Amendment - Ontario Land Tribunal Hearing - Request for Directions

West Community Post and the West Side Community Council. No other persons or public bodies were granted participant or party status.

On June 17, 2024, the owner appealed Council's refusal of the applications to alter and demolish heritage attributes of the property at 1117 Queen Street West under Sections 33 and 34(1)1 of the *Ontario Heritage Act* to the Tribunal (the "Original Permit Requests"). The revised heritage permit applications reflected the proposal described below respecting the Official Plan and Zoning By-law Amendment applications.

Related Policy Directions Applicable to the Site

At its September 30 and October 1, 2020 meeting, City Council adopted OPA 445 which provides policy direction related to conservation of heritage properties in the area including 1117 Queen Street West. On November 10, 2023, the Ontario Land Tribunal (OLT) approved modifications to OPA 445 and brought OPA 445 into effect for all lands, except for portions remaining under appeal for one site-specific appeal at 1439-1455 Queen Street West (which is anticipated to be withdrawn). 1117 Queen Street West does not have a site specific appeal of OPA 445. The OLT Decision in OLT File OLT-22-002046 may be found here:

<https://jus-olt-prod.powerappsportals.com/en/e-status/details/?id=e8b3a9c4-367d-ec11-8d21-0022483d6bdd>

COMMENTS

The lands municipally known as 1117 Queen Street West are designated under Part IV, Section 29 of the *Ontario Heritage Act* and require an application under Section 33 and 34(1)1 of the *Ontario Heritage Act* to address any proposed changes to the heritage property and demolition of specified heritage attributes in the designation by-law. The owner made revisions to their original requests for heritage permits under Section 33 of the *Ontario Heritage Act* seeking City Council's consent to alterations to the designated property at 1117 Queen Street West and subsection 34(1)1 of the *Ontario Heritage Act*, and the demolition of specified heritage attributes on the building of the designated heritage property.

A City Solicitor's Report on the Heritage Permit Applications was considered by the Toronto Preservation Board on April 1, 2025 and that advice will be considered at the same City Council meeting as this report.

On October 3, 2023 (deemed complete as of November 3, 2023), the applicant filed an Official Plan Amendment and Zoning By-law Amendment application on 1117 Queen Street West to permit a 29 storey (96.4 metres including mechanical penthouse) mixed use building containing 272 market condominium units and 919 square metres of community space below-grade, at grade, and on the second floor of the existing Postal Station C building. No vehicular parking spaces are proposed. On-street loading is provided on Lisgar Street or alternatively, a modified Type C loading space is proposed on the site. A total of 307 bicycle parking spaces are provided throughout the site. The application described the community space as being intended for arts related and/or

community non-profit users. An exterior outdoor performance stage was also proposed at the rear of the building facing Lisgar Park (the "Original Applications").

On February 4, 2025, pursuant to the Procedural Order issued by the Tribunal, the Original Applications have been revised to propose the construction of a 28 storey, mixed use building, partially retaining the designated heritage Postal Station 'C' building at the base. The development proposes a total gross floor area of 17,353 square metres, consisting of 16,421 square metres of residential floor space and 932 square metres of community space. An exterior outdoor performance stage was also proposed at the rear of the building facing Lisgar Park. A total of 272 residential units are proposed and one level of underground parking for 309 bicycles. On-street loading has been removed. Loading for the site is accessed from Lisgar Street, adjacent to the existing laneway to the rear (the "Revised Development Applications").

	Original Application (October 2023)	Revised Proposal (February 2025)
Number of storeys	29 storeys (96.4 metres + a mechanical penthouse of 6 metres)	28 storeys (95 metres + a mechanical penthouse of 6 metres)
Setbacks (from tower addition): North South East West	11.5 metres 1.0 metres 1.9 metres 2.3 metres	9.3 metres 1.3 metres 3.4 metres 3.9 metres
Total Residential GFA	16,465 square metres	16,421 square metres
Total Non-Residential GFA	919 square metres	932 square metres
Total GFA	17,384 square metres	17,353 square metres
Unit Mix	Total: 272 Studio: 73 (26.8 percent) 1-Bedroom: 121 (44.5 percent) 2-Bedroom: 50 (18.4 percent) 3-Bedroom: 28 (10.3 percent)	Total: 272 Studio: 47 (17.3 percent) 1-Bedroom: 147 (54.0percent) 2-Bedroom: 50 (18.4 percent) 3-Bedroom: 28 (10.3 percent)
Vehicle Parking	None proposed	None proposed
Loading Space	On-street loading (Alternate Option: One modified Type C Loading Space on-site)	One Type G Loading Space
Bicycle Parking	Total: 309 (247 long term) (62 short term)	Total: 309 (247 long term) (62 short term)
Indoor Amenity	590 square metres	656 square metres
Outdoor Amenity	277.9 square metres	169 square metres

Updated Material and Information submitted in support of the Revised Development Applications may be found here:

<https://www.toronto.ca/city-government/planning-development/application-details/?id=5344577&pid=578949&title=1117-QUEEN-ST-W>

The Original and Revised Conservation Strategy for the Designated Heritage Property is described in the Public Report from the City Solicitor on the Heritage Permit Applications.

This report seeks further direction from City Council on this matter in advance of the OLT hearing set to commence on July 7, 2025, with procedural order deadlines commencing in advance of the next Council meeting. On the basis of these deadlines, this matter is urgent.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Public Attachment 1 – Revised Plans and Drawings prepared by Giannone Petricone Associates, dated January 31, 2025
2. Confidential Attachment 1 – Confidential Information