

**1149 and 1153 Queen Street West – Zoning By-law
Amendment – Ontario Land Tribunal Hearing –
Request for Directions**

Date: May 7, 2026

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 ("Tribunal"). On April 7, 2025, the applicant appealed the proposed Zoning By-law Amendment application for 1149 and 1153 Queen Street West to the Tribunal as a result of Council's refusal of the applications within the time prescribed by the *Planning 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, along with the entirety of Confidential Appendix "A" and Confidential Appendix "B" 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 Instructions to Staff beyond what has already been approved in the current year's budget.

DECISION HISTORY

Development Application

On October 8 and 9, 2025, City Council directed the City Solicitor, and appropriate City Staff, to attend the Tribunal to oppose the Zoning By-law Amendment application in its current form, and to continue discussions with the applicant in an attempt to resolve outstanding issues. City Council's decision may be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.TE25.10>

Designation of the Properties

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>

The properties at 1149 and 1153 Queen Street West are identified as non-contributing properties to the District. The District Plan was appealed to the Tribunal and is not in effect for the properties.

Appeal to the Ontario Land Tribunal

The Tribunal held the first Case Management Conference on July 11, 2025. The Tribunal held a second Case Management Conference on November 10, 2025 and scheduled a hearing commencing on August 31, 2026 to September 11, 2026. The Tribunal granted participant status to the Toronto Standard Condominium Corporation 2210 (TSCC 2210), the West Queen West Community Post, West Side Community Council and a local resident. No other persons or public bodies were granted participant or party status.

COMMENTS

On November 20, 2024, the applicant made a complete Zoning By-law Amendment application to permit a 27-storey mixed-use building containing 367 residential units and 762.7 square metres of ground floor retail. The existing buildings on the site are

proposed to be demolished, including 10 rental dwelling units that are proposed to be replaced. A Rental Housing Demolition application was also submitted.

This report seeks further direction from City Council on this matter in advance of the OLT hearing set to commence on August 31, 2026, 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. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information