

19-37 Queens Quay East (Pier 27, Phase 3) – Official Plan Amendment and Zoning By-law Amendment – Ontario Land Tribunal Hearing – Request for Directions

Date: July 7, 2026

To: City Council

From: City Solicitor

Wards: Ward 10 - Spadina-Fort York

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

On April 21, 2021, the City received an Official Plan Amendment and Zoning By-law Amendment application for 9-39 Queens Quay, the Pier 27 development lands. Included in these lands are 19-37 Queens Quay East (the "Site"). 9-39 Queens Quay was developed in phases, the last phase being the Site. An application for an Official Plan Amendment and a Zoning By-law Amendment for the Site were submitted to permit the construction of two buildings; one being 45 storeys (Building F) for residential use and one (Building A) being a mixed-use residential and at-grade retail of 11 storeys.

The applicant appealed City Council's refusal of the applications for the Official Plan Amendment and Zoning By-law Amendment (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on October 27, 2025.

The City Solicitor requires further directions as an OLT hearing is scheduled for March 8, 2027.

RECOMMENDATIONS

The City Solicitor 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, 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 contains advice which is 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

On April 21, 2021, the City received an Official Plan Amendment and Zoning By-law Amendment application to permit the development of the lands known as 9-39 Queens Quay. The lands were developed in phases. The last phase is the Site. It was originally approved for two 13-storey buildings in 2015. The applicant has now submitted an application to permit the construction of two buildings, one being 45 storeys (Building F) for residential use and one (Building A) being a mixed-use residential and at-grade retail of 11 storeys.

On October 27, 2025, the applicant appealed City Council's refusal of the applications for the Official Plan Amendment and Zoning By-law Amendment (the "Appeal"), to the Ontario Land Tribunal (the "OLT").

An Appeal Report on the application was adopted by City Council on April 22 and 23, 2025 directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Official Plan Amendment and the Zoning By-law Amendment applications, and to continue discussion with applicant in an attempt to resolve outstanding issues. The Appeal Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2026.TE31.17>

COMMENTS

The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

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